Complete Primary Coverage

From the Panthers to Capitol Shoeshines

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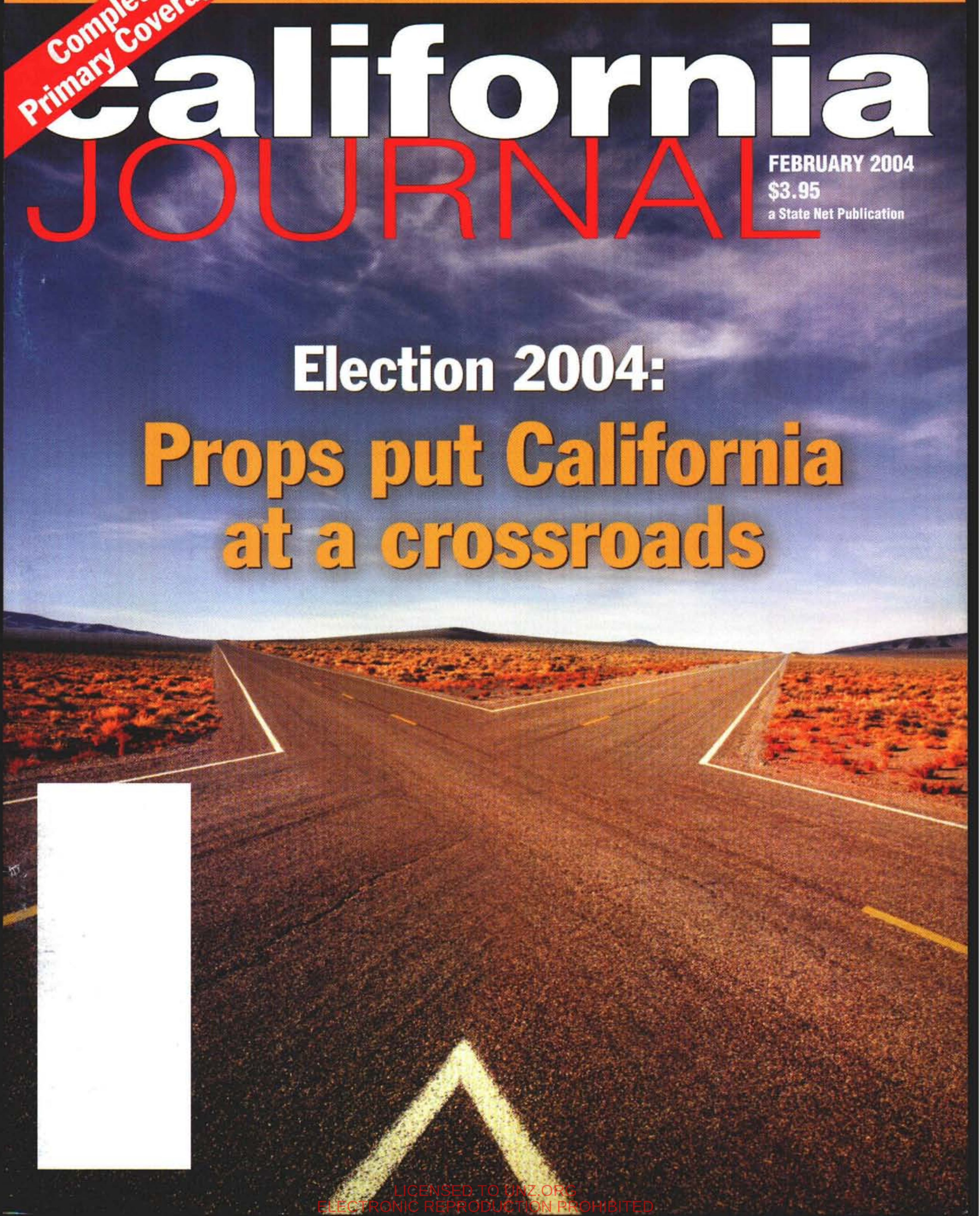
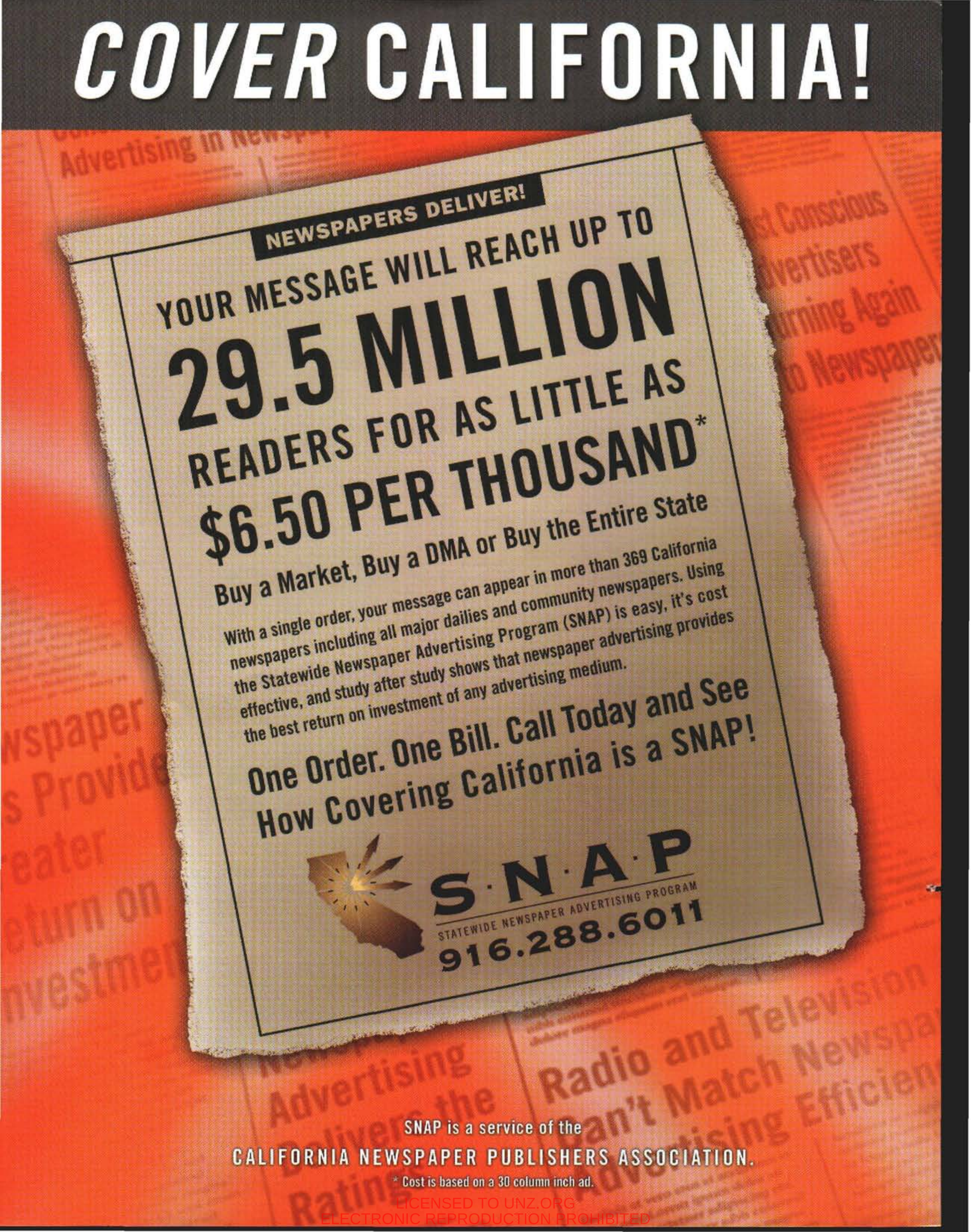


Election 2004:
Props put California at a crossroads



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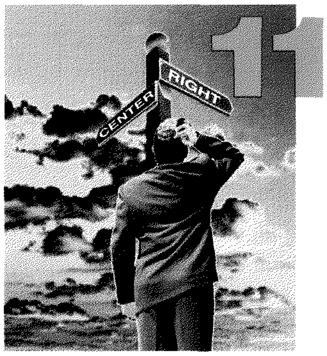
Regardless whether California plays an important role in choosing the Democratic nominee, the candidates themselves will pay only fleeting attention to the Golden State. **By Marc Sandalow**



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Proposition 56 attempts to roll back an an obscure measure on the books since 1933. **By Martin Nolan**

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The first significant act of the Schwarzenegger administration was presentation of a much-anticipated budget. Who won and lost, and what was the reaction? **By John Howard**

50 **From Panthers to shoeshines**
Ed Wright has been shining shoes in the state Capitol for years, but few know that his first visit to the building was in 1967 when he accompanied Black Panthers on their infamous shotgun-wielding visit to the Assembly. **By Laura Lynne Powell**

Two for the show

Every election has its set of driving forces, and often those forces involve candidates. But not this March. Even if California's presidential primary actually helps determine the Democratic nominee, the election is about a pair of ballot propositions. Prop. 57 has been dubbed the "economic recovery bond" because it raises $15 billion to pay off past debt and provide breathing room for the future. More than its fiscal aspects, however, are its political implications. Prop. 57 is the first test of Gov. Arnold Schwarzenegger's clout with voters on an issue other than Gray Davis. Early polls revealed that the public is skeptical, but Schwarzenegger has put his full weight behind the bond. If it fails, he fails in ways that could affect the rest of his tenure. Meanwhile, Prop. 56 could change the political dynamic inside the Legislature by severely reducing the clout of a minority party. Prop. 56 lowers the threshold for passing a budget and enacting tax increases from the current two-thirds to a 55 percent majority. Both measures take California to a political crossroads.

A.G.Block

Cover photo: Charley Franklin, Getty Images

Upfront umbrage

A GOP goodbye. Dennis Carpenter, the affable GOP leader who represented Orange Co. in the state Senate for eight years, died in late December. Carpenter, who retired in 2001 from his Sacramento-based political lobbying firm, Carpenter Snodgrass & Associates, died of a brain aneurysm after collapsing at his cattle ranch in Oklahoma. He was 75. A former FBI agent known for his integrity and good humor, Carpenter rose through the Republican ranks after catching the eye of Walter Knott, the founder of Knott's Berry Farm and a political activist in the late 1950s. He served as chairman of the state GOP and was a member of the Republican National Committee. Urged to run by then-Gov. Ronald Reagan, he won a 1970 special election for a state Senate seat, where he represented Orange Co. until 1978, rising to Senate minority leader. After leaving the Senate, he opened a successful lobbying firm, whose clients included Arco, the Sacramento Kings basketball team, R.J. Reynolds and Orange Co. As a lobbyist, Carpenter earned respect on both sides of the aisle, including former Democratic Spkr. Willie Brown, who told the *Los Angeles Times* that Carpenter had "integrity. He never lies to you. I don't think there's any better."

Pepperoni polling. When it comes to pizza, there's no mistaking political preferences. Based on a survey recently released by Domino's Pizza Inc. in Washington, D.C., folks who've plastered "Dean for President" bumper stickers on their cars tipped 22 percent higher in 2003 than people with "Bush for President" bumper stickers. What's more, those beefy Bush-backers were three times more likely to order meat-topped pizzas than Dean fans. The highly spiced findings are based on reports from 630 pizza delivery drivers in the Washington, D.C. area. And in case you're wondering, the No. 1 fake name given by Washingtonians when ordering pizza: Paris Hilton. In second place: U.S. Attorney General John Ashcroft. That's a reality check.

Cover Girl. Never the wallflower, Assm. Rebecca Cohn (D-Saratoga) recently strutted her stuff, posing in a slinky leopard-print number for the January cover of *San Jose* magazine. Inside, readers are treated to Cohn modeling a number of designer-label ensembles, including a shot lounging in fishnet stockings, along with a list of "50 Things You Didn't Know About Rebecca Cohn." Among the disclosures: She can't tell a joke to save her life; her inspiration is her son Andrew, a Boston University student; one of her biggest regrets is not investing early in Microsoft and eBay stocks; her favorite night on the town is swing-dancing with her husband, Ron, and her favorite physical asset is her smile. (Least favorite: her stubby, "Fred Flintstone" toes.) No mention of aspirations for future modeling assignments or centerfolds. Meanwhile, the magazine was a hot commodity in the Capitol: at least one downtown newsstand sold out immediately and had to order in extra copies.

LEGISLATIVE
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ASSEMBLYWOMAN
REBECCA COHN
IN HAUTE STUFF

From the *San Jose* magazine Website

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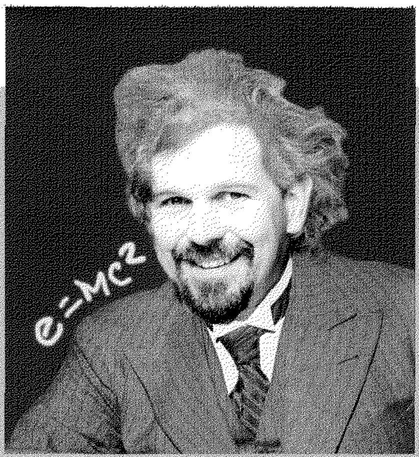
Business:

Brain trust



Californians were in high regard in the eyes of *U.S. News & World Report*, which included several Golden Staters in its January issue heralding the "Best Minds" of 2004. Among the five Californians profiled was Reed Hastings, the 43-year-old "digital entrepreneur" who was hailed for bringing us Netflix, the DVD movies-by-mail service, and standing up to competitive big boys like Wal-Mart and Blockbuster.

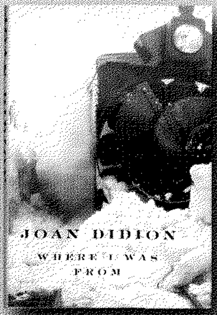
As a "Best Minds" notable, Hastings was in exalted company (the other four Californians were architect Allison Williams, neuroscientist Roberta Diaz Brinton, genetic biologist Cynthia Kenyon and computer scientist John Kubiatowicz).

While DVDs-by-mail may not rank up there with brain surgery, the magazine noted that Hasting's innovative success in trying times — Netflix reportedly adds 125,000 new customers a month to its base of 1.3 million loyal subscribers, while its stock market shares have tripled in value to about $45 — is proof that "innovation triumphs over adversity every time."

Only briefly noted was that Hastings also "moonlights" as president of the state Board of Education, an appointed post he's held for two terms under former Gov. Gray Davis. His term expired on Jan. 15. No word on whether he'll keep that post under the new governor ... but the $200,000 donation he gave Davis in the recall campaign could pose a slight problem.

Excerpts:

From the bookshelf



Where I Was From
By Joan Didion
Alfred A. Knopf, 2003

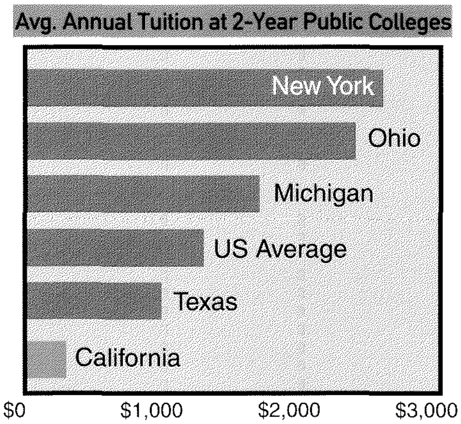
Native Sacramentan Joan Didion's book of essays about the state—and most particularly the city — of her birth is, like so much of her writing, at times excruciating, frequently jarring, occasionally controversial, and always spellbinding. A trim, crisp volume of stories about California, its wild feats and grotesque failings, *Where I was From* is also a harsh self-examination, as she reassesses earlier perceptions — hers and others — of the tarnished, tattered "California Dream." This is a painfully wrought book of fine and piercing prose, bound to elicit controversy. It is distinguished by Didion's signature economy of words and phrasing, her extraordinary choice of seemingly disparate people and events, through which she focuses her cool-eyed journalistic insight to illustrate in stark detail this "wearying enigma" that is California and the Central Valley.

— *Sigrid Bathen*

Numbers:

Bottom of the barrel...

That's both good and bad news for the state's community colleges which ranked 45th among 49 states in spending per student in 1999-2000, according to a study by the Public Policy Institute of California. On the flip side, the PPIC study says annual tuition at California's community colleges is nearly the lowest in the country.



Quotables.....

Now that you're free, please come help me run the state." Note from Gov. Arnold Schwarzenegger to outgoing SF Mayor Willie Brown, tucked into a new fedora the governor had delivered to Brown on his last day in office.

— From Matier & Ross column, *San Francisco Chronicle*

ELECTION 2004:

THE MARCH PRIMARY

Arnold Schwarzenegger is not on the March ballot, but in one respect, the prestige of his administration hangs on his ability to sell a $15 billion bond to a skeptical public.

By A.G. Block

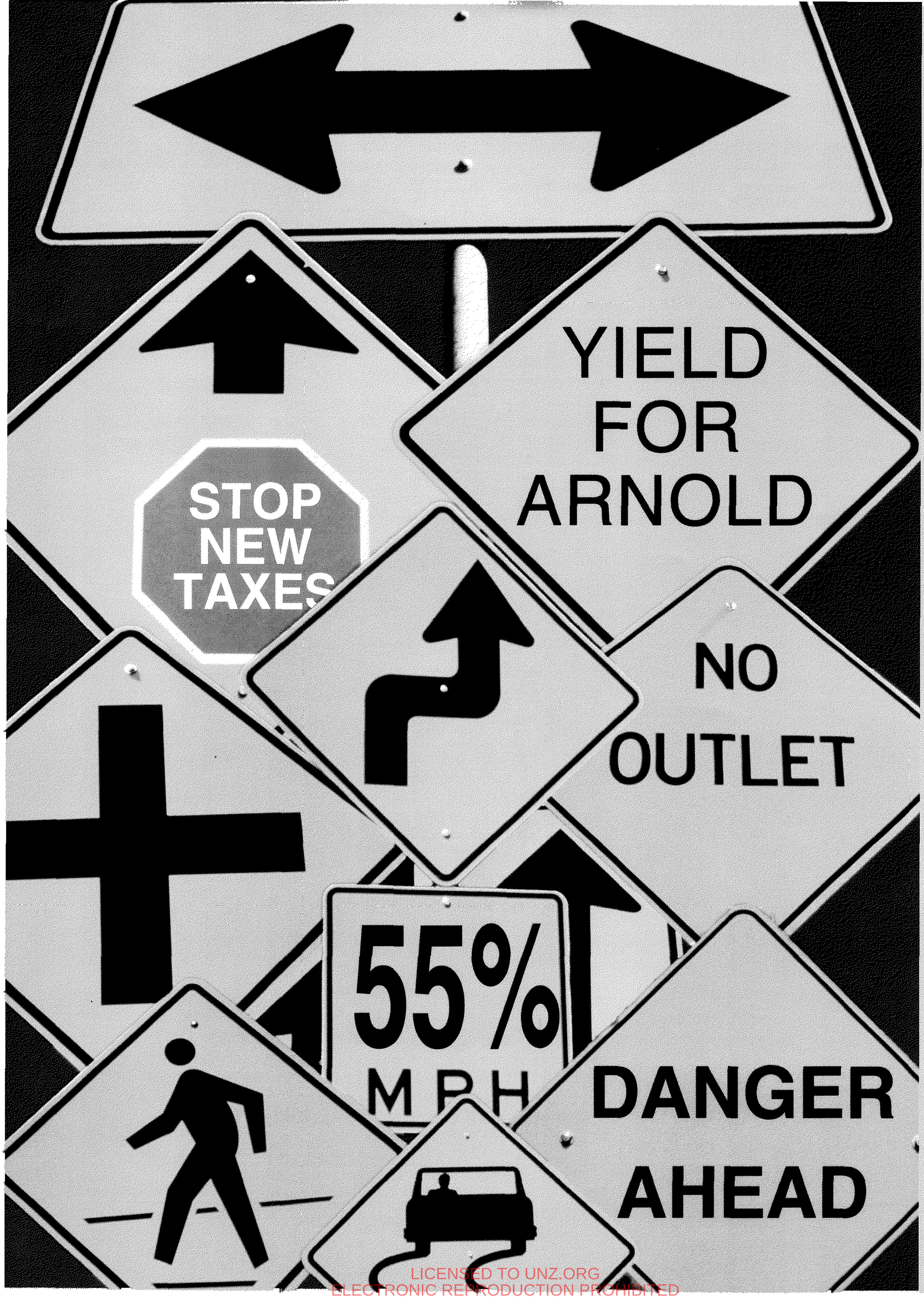
Even though the March 2004 ballot contains a presidential primary that may or may not have national significance for the Democratic Party, this election is driven by a pair of propositions, and by a newly elected governor who will not garner one vote for himself. The two ballot measures (Propositions 56 and 57) represent a crossroads in California's political history, and Governor Arnold Schwarzenegger's fortunes depend on the success of one — perhaps both.

That is because the first great test of Schwarzenegger's leadership is hitched to Proposition 57 — a $15 billion bond designed to help pay off accumulated debt and provide some breathing room for the state to get its financial house in order (see page 42 for a detailed analysis). Should the measure fail — and two mid-January polls indicated that the public is, at best, skeptical — it would instantaneously increase the budget deficit by up to $15 billion and force the governor and lawmakers to raise taxes or make draconian cuts in every state program. Because of those fiscal dangers, Schwarzenegger must put his full weight and prestige behind the effort to pass the bond. It is the first time as governor he has asked voters to back a specific program rather than himself.

And therein lurks another, more profound danger, for the failure of Proposition 57 would be a serious political setback for a governor who promised to bring new and dynamic leadership to state government. It also would spike the notion that Schwarzenegger, at will, can translate celebrity status into public support for his programs. More significant, failure will weaken his standing with the Democrat-dominated Legislature.

Schwarzenegger has repeatedly threatened to go around the Legislature if it thwarts his efforts to reform programs such as the workers' compensation system, taking his case directly to the people either to foment constituent pressure on lawmakers or to enact reforms via the initiative. If, however, he fails to persuade voters to back a bond proposal so vital to his administration, Democrats may dismiss future threats as so much gas.

Meanwhile, Proposition 56 also places California at a crossroads because it threatens to curtail the clout of a minority party in the Legislature by changing the rules for passing a budget and enacting tax increases. Currently, a two-thirds majority is required for either, but Proposition 56 lowers that threshold to 55 percent (see page 36 for historical background and page 41 for a synopsis of the


STOP NEW TAXES
YIELD FOR ARNOLD
NO OUTLET
55% MPH
DANGER AHEAD

measure itself). That means that 44 Assembly members (instead of 54) and 22 senators (rather than 27) could approve a tax increase or a budget. Had Proposition 56 been in effect last year, for instance, Democrats could have passed the budget without Republican votes, and likely would have increased taxes to help finance it.

Currently, there are 48 Democrats in the Assembly and 25 in the state Senate, and the two-thirds vote requirement provides legislative Republicans with their only leverage. To get to two-thirds, Democrats must be joined by members of the minority party. Should the threshold be reduced, the GOP would sink to irrelevancy in the Legislature, perhaps for the rest of the decade because legislative districts have been drawn as mostly safe for one party or another.

The *Journal's* district-by-district analysis reflects how little competition exists between the two parties. We have identified only 27 of 153 districts with competitive primaries (3 of 53 for Congress, 3 of 20 for state Senate, 21 of 80 for Assembly), and it is likely that the fall election will produce even fewer, competitive two-party contests.

The primary ballot also contains an interesting Republican U.S. Senate primary where GOP voters again will referee a clash of ideologies between former Secretary of State Bill Jones, ultra-conservative former Assemblyman Howard Kaloogian and an unknown Bush administration official (former U.S. Treasurer Rosario Marin). Senior editor John Howard previews the primary on page 11.

Finally, there is a presidential primary on the Democratic side, but the significance of that election depends on factors beyond California's control or its borders. As contributing editor Marc Sandalow points out on page 9, the primary could arrive in California wide open or sealed shut.

A.G. Block is editor of the California Journal. *Send comments to* **comments@californiajournal.com**

KEY to charts

CD = Congressional district
SD = state Senate district
AD = Assembly district
D% = percent of Democratic voter registration
R% = percent of Republican voter registration
DS% = percent registered decline to state
Democrats = Democratic primary candidates
Republicans = Republican primary candidates
Other = third party primary candidates
AI = American Independent Party
G = Green Party
L = Libertarian Party
PF = Peace and Freedom Party
IE = Independent Expenditure
* = incumbent

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- Mahatma Gandhi

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Presidential candiates before the Des Moines, Iowa, debate. Left to right are Dick Gephardt, Al Sharpton, Dennis Kucinich, Joe Lieberman, John Edwards, John Kerry, Carol Mosleey Braun and Howard Dean. Wesley Clark did not campaign in Iowa. Photo: Rick Wilking, Reuters, 1/12/04.

On to ... elsewhere

The California presidential primary may yet play a role in selecting the Democratic Party nominee, but the attention paid to the nation's largest and most loyal Democratic stronghold will be fleeting compared with places like Davenport, Iowa. By Marc Sandalow

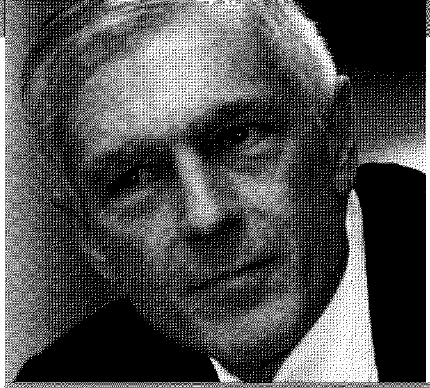
Flat, frozen, and populated by more hogs than humans, Iowa has nothing over California. Except that Californians got the Michael Jackson trial while Iowans got to decide who is going to be the next president.

A day after the Iowa Caucuses, it doesn't much matter whether California's March 2 primary turns out to be the event which puts a John Kerry, John Edwards, Joe Lieberman, Howard Dean, Wesley Clark or anyone else over the top. Or whether it will be a purely academic exercise too late in the process to matter. The men (and woman) who would be president totaled more than 600 campaign days in Iowa and New Hampshire, while pledging their fealty to such important American concerns as ethanol subsidies and the New England Patriots.

The Golden State, the nation's largest and most loyal Democratic stronghold, once again has taken a backseat in the party's presidential selection process. It is one of the great inequities of American democracy that the nearly all-white voters of rural Iowa and New Hampshire set the stage for the nation's biggest political campaign, while powerhouses like California and New York play a second fiddle.

California may ultimately become the final arbiter between Democrats, which at this writing looks more possible every day — even though candidates, Missouri Congressman Dick Gephardt and former Illinois U.S. Senator Carol Moseley Braun, already have dropped out. But when it comes to the time-honored tradition of pandering to voters — showing up in communities, listening to issues, making ridiculous pledges of federal funds for parochial projects — the candidates and the press lavish Iowa (population 2.9 million, about the same as San Diego County) and New Hampshire (population 1.3 million, about the size of Sacramento County) with inordinate attention.

Even if it does come down to Cali-


Wesley Clark

John Kerry

John Edwards

Howard Dean

Joe Lieberman

fornia, the attention will be fleeting and shared with nine other states including New York, Ohio and Georgia, each of which votes on March 2. There will be no opportunity for the candidates to become familiar with California concerns, or to make promises Californians can hold them to if elected.

Should Californians feel wronged?

"Yeah, in a word," said William Mayer, a professor of political science at Northeastern University in Boston and the editor of "The Making of the President 2004." "At one time, the California primary was one of the most important events in presidential politics," Mayer said. "Now it is getting less and less important."

Californians will select 370 delegates on March 2, a day when more than half of the delegates needed to win the nomination will be chosen. By comparison, Iowa and New Hampshire voters selected a total of 67 delegates in January. Excluding the uncommitted "super delegates," California accounts for 10.5 percent of all the delegates. Iowa and New Hampshire account for 2 percent — combined.

The arguments for the status quo are well known. Starting the process in a small state allows candidates to meet with "real people," rather than conduct the expensive media campaigns necessary in California (what do they think Californians are going to do, elect a movie star?). It is a test of the candidates' skill at retail politics and their ability to withstand the scrutiny of hardscrabble folks in Derry or Davenport.

Democratic Party Chair Art Torres said he intends to pursue changes in party rules that preserve Iowa's and New Hampshire's status.

"It is amazing to me that we rely on these small, unrepresentative states to determine who the nominee is going to be," Torres said "It's like saying the Democratic nominee for governor should rely on the voters of Butte County."

University of Virginia professor Larry Sabato has solution that would guarantee California's involvement. Take all 50 state names and throw them into a hat. Every four years, at halftime during the Rose Bowl, they would be drawn at random to determine the primary order. Candidates would be forced to campaign nationwide, in states large and small, not knowing where the process would begin. Americans would tune in to the Rose Bowl for what would be the year's biggest political event.

And the Rose Bowl, of course, is played in California.

Contributing editor Marc Sandalow is the San Francisco Chronicle's *Washington bureau chief. Comments may be sent to* **comments@californiajournal.com**

PRESIDENT (44% D – 35% R – 16% DS)

Democrats: Wesley Clark of Arkansas, Howard Dean of Vermont, John Edwards of North Carolina, Dick Gephardt of Missouri, John Kerry of Massachusetts, Dennis Kucinich of Ohio, Lyndon LaRouche of Virginia, Joe Lieberman of Connecticut, Carol Moseley Braun of Illinois, Al Sharpton of New York.

Republican: George W. Bush* of Texas.

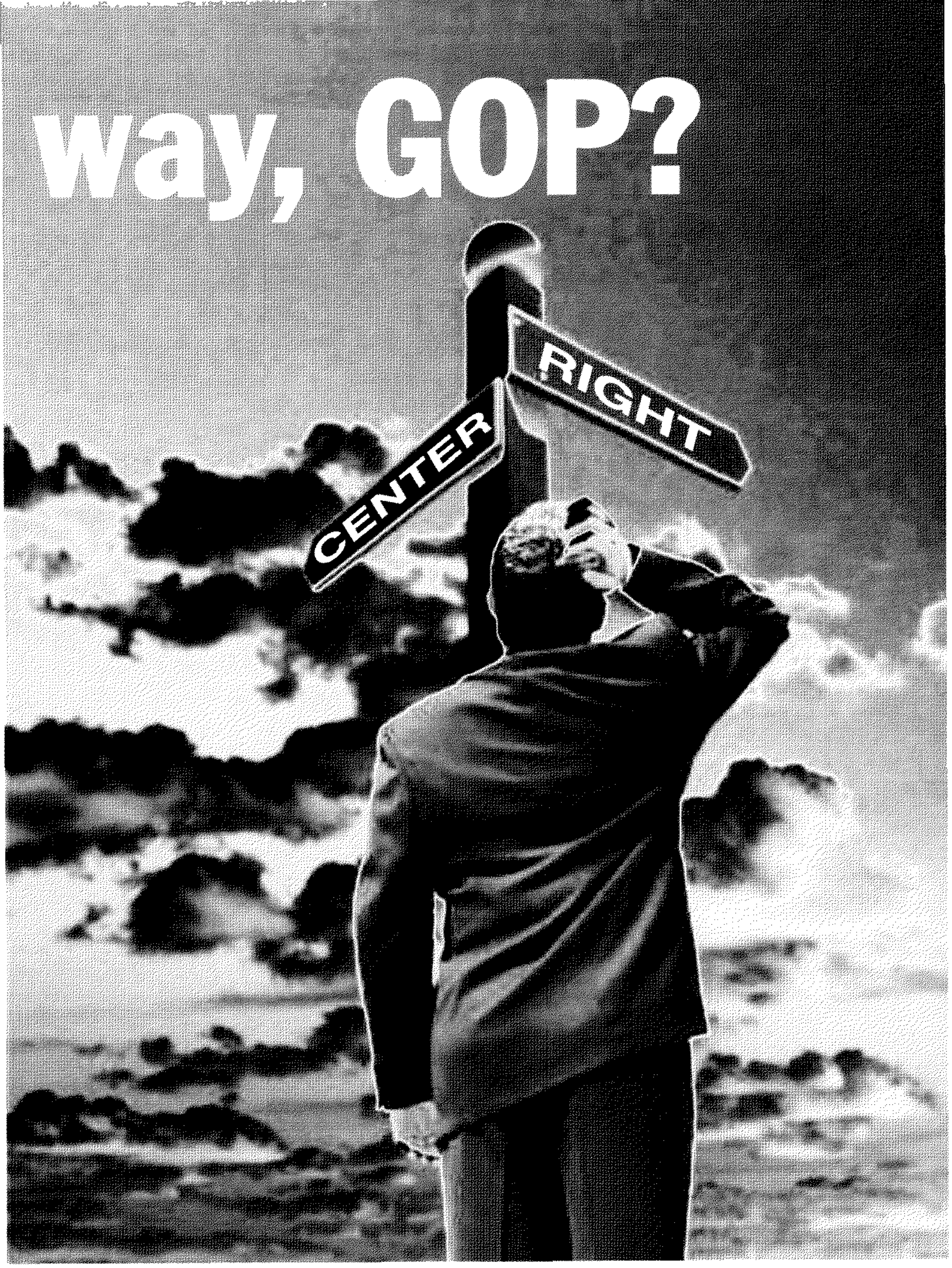
American Independent: Michael Peroutka of Maryland.

Greens: Peter Camejo, David Cobb, Kent Mesplay, all of California; Lorna Salzman of New York.

Libertarians: Michael Badnarik of Texas, Gary Nolan of Virginia, Aaron Russo of California.

Peace & Freedom: Mumia Abu-Jamal of Pennsylvania, Walt Brown of Oregon, Leonard Peltier of Kansas.

Which way, GOP?



After two failed attempts to oust U.S. Senator Barbara Boxer, Republicans hope they're headed in the right direction in 2004. Although united in their desire to bump Boxer, they're less clear on who will take them there.

By John Howard

Tart-tongued, scrappy and liberal, Barbara Boxer is the politician Republicans love to hate. As California's junior Democratic U.S. Senator, Boxer has fended off two flawed GOP assaults — the first in the "Year of the Woman" in 1992, the second six years later. Republicans, hoping the third time will be the charm, are lining up to take her on this fall, but their bench is thin, their money tight and their infighting fierce. The nine combatants on the March 2 ballot include former Secretary of State Bill Jones, something of a comeback kid in the state party who captured the surprise endorsement of Republican Governor Arnold Schwarzenegger, and former U.S. Treasurer Rosario Marin, unknown in California but hoping — wistfully? — that the White House will give her a boost.

The crowded Republican field also includes Toni Casey, 57, a pro-choice moderate like Marin, a senior appointee of President George W. Bush to the Small Business Administration and a former three-term mayor of affluent Los Altos Hills, joining her is former Assemblyman Howard Kaloogian, 43, a San Marcos conservative who played an early role in the recall election of former Governor Gray Davis. All of them are even less known than Jones in a GOP contest that is overshadowed by the Democratic presidential primary.

A Public Policy Institute of California survey showed Jones favored by 17 percent of voters, but with two-thirds of them undecided. The other GOP contenders trailed far behind — and that was before the Schwarzenegger endorsement.

Republicans believe Boxer, 63, often described as the U.S. Senate's most liberal member, is vulnerable this year. They were wrong before, and pros in both parties think 2004 is unlikely to be any different.

Rosario Marin

Bill Jones

Barbara Boxer

"Whoever the Republican nominee is, there is a hunger in Washington for turning out Boxer. If they had to pick one candidate that annoys the Republican Party the most, it would probably be Boxer," said Field Poll director Mark DiCamillo.

Key to the 2004 Senate race is whether Jones, the presumptive GOP front-runner, can capture enough money to mount a credible campaign in the fall. Boxer's last two GOP opponents were weak. Jones, with money, may prove different, and Schwarzenegger's endorsement is certain to boost Jones' fund-raising ability.

Boxer raised more than $20 million for her last two races and spent it shrewdly, including a final $3.4 million television barrage that dramatically reversed her poll numbers prior to her 1998 general election win against Republican state Treasurer Matt Fong. This time, she's already amassed $5 million.

Jones, 54, a Fresno-area farmer, spent $2.3 million on his failed 2002 gubernatorial bid — a fraction of what's needed for a successful run in California — and couldn't come up with the cash to kick his campaign into high gear.

But last year, Jones got part of a settlement between the federal government, the Westlands Water District and San Joaquin Valley farmers, whose land was damaged by years of poor drainage. The court-approved agreement included a $32 million payment. By one account, more than half that amount went to four families — including Jones'. Will Jones now write himself a fat campaign check?

Marin, 44, who came from Mexico as a teenager and rose to become mayor of Huntington Park, has raised little cash in the past but expects help from the White House if she survives the primary. Casey, as former mayor of one of the wealthiest cities in the country, is well connected and early on raised $800,000 for her campaign treasury.

The economy, homeland security and immigration are dominant issues, but policy differences are taking a backseat to internecine bickering — not unusual for a GOP primary. The candidates extol Bush, but differences with the president emerged on immigration: Kaloogian and Casey gave qualified support to Bush's new plan to provide legal status for millions of immigrant workers. Marin generally supports it; Jones was undecided.

Unlike Schwarzenegger, the California Republican Party is keeping its hands off the primary.

"The state party will not endorse," said state GOP chairman Duf Sundheim, who yearns to avoid a bare-knuckles primary that could give Boxer ammunition for November.

Sundheim is going to be disappointed: Marin, Casey and Kaloogian already are taking shots at Jones, and both Marin and Jones have hired top handlers who go for the jugular.

In Jones' case, that includes Ed Rollins, a former Assembly GOP strategist and near legend in the state Capitol who went on to serve three Republican presidents. But Rollins, once dubbed a "super-consultant," stumbled badly in 1993 when he boasted that his campaign offered $500,000 in "walking around money" to black ministers and Democratic workers to suppress the African American vote in the 1992 New Jersey governor's race.

Jones also signed up friend and loyalist Sean Walsh, who played a pivotal role in Schwarzenegger's election effort, served in Los Angeles businessman Bill Simon's failed 2002 gubernatorial campaign and was one of former Governor Pete Wilson's top aides.

Both Wilson and former Governor George Deukmejian, the twin pillars of the state Republican Party, have endorsed Jones.

Marin's key adviser is Kenneth Khachigian, one of California's top Republican political strategists, a former adviser to Presidents Richard Nixon and Ronald Reagan, as well as

U.S. SENATE (44% D – 35%R – 16% DS)

Democrats: Barbara Boxer* of Santa Monica.

Republicans: Danney Ball of Hemet, Toni Casey of Los Altos, Barry L. Hatch of Arcadia, Bill Jones of Fresno, Howard Kaloogian of San Marcos, Rosario Marin of Costa Mesa, Bill Quraishi of El Granada, James Stewart of Temecula, James M. Van Zandt of Upland.

American Independent: Don L. Grundman of San Leandro.

Libertarian: James P. Gray of Newport Beach, Gail K. Lightfoot of Arroyo Grande. **Peace and Freedom:** Marsha Feinland of Berkeley.

Deukmejian. The San Clemente attorney makes no bones about his dislike of Boxer — he's called her "an embarrassment to California" — and clearly hopes to even the score from 1992, when Boxer defeated Los Angeles TV commentator Bruce Herschensohn, Khachigian's client. That mud-filled race culminated in eleventh-hour disclosures that Herschensohn frequented a strip joint and adult book store. Years later, the campaign remains a sore spot within the GOP.

There are twists here: Khachigian also handled U.S. Sen. John McCain's campaign during the 2000 presidential primary. Jones endorsed McCain — Bush and other GOP loyalists were not pleased — prompting speculation that Bush handler Karl Rove has decided it's payback time. Marin met with Rove before she resigned as treasurer last July and said little about why she was returning to California, which only heightened speculation about her political future.

Marin doesn't discuss her meetings with Rove, or with anyone else in the White House. She didn't announce her political plans last year when she left the treasurer's office because "you can't hold a federal office and run for a political office. I was leaving the administration and I couldn't even talk about running."

Democrats who have felt Rove's sting say he has a long memory.

"Rove keeps grudges until you're dead, and then he goes after your children," notes Bob Mulholland, the state Democratic Party's political director.

Others aren't convinced.

"The White House already made that point in the 2002 gubernatorial primary. There's no political point in dwelling on a grudge," said political scientist Jack Pitney of Claremont McKenna College.

Jones finished a poor third in the 2002 primary with 17 percent of the GOP vote, far behind former Los Angeles Mayor Richard Riordan. Simon won the primary, in part because Democrat Davis, sensing danger from the moderate Riordan, spent $10 million to block the former mayor. Later that year, Bush came three times to California and raised $2.6 million for Simon's campaign.

But that was then. Now, the primary appears to be Jones' to lose.

With two terms in statewide office and a stint as former GOP leader of the Assembly, he has significant name recognition. Even so, only a fourth of those surveyed in an early Field Poll said they had even heard of him. Marin was recognized by a scant 3 percent of the voters — within the poll's margin of error. After Jones, the best-known contender was Assemblyman Tony Strickland of Thousand Oaks — who later dropped from the race. U.S. Representative David Dreier (R-Glendora), the powerful chairman of the House Rules Committee, toyed briefly with running but decided to remain in his secure House seat.

"The fundamental issue is whether there really will be a serious race," said Tony Quinn, a political historian and co-author of "The Target Book," the bible of legislative campaign strategy. "I think Bill Jones is very likely the winner in the primary, but he's got to be able to raise sufficient money. Then once he's the nominee, the question will be whether the national Republicans will seriously contest her [Boxer] when they have so many other races to worry about."

High up on the national GOP priority list are four southern U.S. Senate seats — in Florida, Georgia, North Carolina and South Carolina — vacated by Democrats. "If you're the Republican Party and you're looking at vulnerable Democrats, Barbara Boxer is pretty far down in the list," Quinn added.

If Bush does well in California, Republican campaign cash is likely to flow to Jones.

"But this is still a Democratic state, and I don't think the Bush administration has done a lot to strengthen itself in California," said Quinn, a Republican.

Too, the Republican article of faith that Boxer is too liberal for California hasn't played out. She opposed both the Gulf War and the invasion of Iraq — litmus test issues for Republicans — but early polls show her favored by a comfortable margin.

"When it comes down to the crunch, Barbara Boxer is smart enough to be a moderate in election years. She's not your typical politician," said veteran political consultant Joe Cerrell. "Barbara never runs to the middle — but she just works her way over there sooner or later."

John Howard is senior editor at the California Journal. *Comments on this story may be sent to* **comments@californiajournal.com**

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Congressional Districts 1-28

CD	D%-R%-DS%	Democrat	Republican	Other
1	45-31-16	Mike Thompson*	Lawrence Wiesner	Pamela Elizondo (G) Bill Meyers (G)
2	34-46-14	Mike Johnson A.J. Sekhon Jeffrey Vance	Wally Herger*	
3	**37-45-14**	**Doug Ose's retirement draws a spirited GOP crowd**		**See page 16**
4	31-49-15	David Winters	John Doolittle*	
5	52-26-16	Robert Matsui*	Mike Dugas	Pat Driscoll (G) John Reiger (PF)
6	50-27-17	Renn Vara Lynn Woolsey*	Paul Erickson	
7	56-24-15	George Miller*	Charles Hargrave	
8	55-12-26	Nancy Pelosi*	Jennifer DePalma	Leilani Dowell (PF)
9	61-11-19	Barbara Lee*	Claudia Bermudez	Jim Eyer (L)
10	45-35-15	Ellen Tauscher*	Jeff Ketelson	
11	37-46-13		Richard Pombo*	
12	51-23-22	Maad Abu-Ghazalah Ro Khanna Tom Lantos*	Mike Garza Christopher Huskins	Pat Gray (G) Barry Hermanson (G) Harland Harrison (L)
13	53-22-20	Pete Stark*	George Bruno	Mark Stroberg (L)
14	45-29-21	Anna Eshoo*	Chris Haugen	Brian Holtz (L)
15	44-30-22	Mike Honda	Raymond Chukwu	
16	48-27-20	Zoe Lofgren*	Douglas McNea	Markus Welch (L)
17	49-29-16	Art Dunn Sam Farr*	Mark Risley Connor Vlakancic	Ray Glock-Grueneich (G) Joel Smolen (L) Joe Williams (PF)
18	50-39-8	Dennis Cardoza*	Charles Pringle Sr. Audrey Redmond	
19	38-48-11	James Bufford	George Radanovich*	Larry Mullen (G)
20	**52-36-9**	**Cal Dooley retired and both parties eye the seat**		**See page 16**
21	36-50-11	Fred Davis	Devin Nunes*	
22	30-53-13		Bill Thomas*	
23	44-33-17	Lois Capps*	Don Regan	Michael Favorite (L)
24	34-46-15	Brett Wagner	Elton Gallegly*	Stuart Bechman (G)
25	35-45-15	Bob Conaway Tim Willoughby	Howard McKeon*	
26	34-47-16	Vicki Johnson Cynthia Matthews	David Dreier* Sonny Sardo	Randall Weissbuch (L)
27	48-31-16	Brad Sherman*	Robert Levy	Eric Carter (G)
28	57-21-17	Howard Berman* Charles Coleman Jr.	David Hernandez	Kelley Ross (L)

* incumbent

Congressional Districts 29-53

CD	D%-R%-DS%	Democrat	Republican	Other
29	44-33-18	Adam Schiff*	William Bodell Harry Scolinos Reza Torschizy	Philip Koebel (G) Ted Brown (L)
30	50-27-18	Henry Waxman*	Victor Elizalde	
31	60-17-18	Xavier Becerra* Mervin Evans	Luis Vega	
32	52-27-17	Hilda Solis*		Leland Faegre (L)
33	66-13-16	Diane Watson*		Robert Weber Jr. (L)
34	60-20-15	Lucille Roybal-Allard*	Wayne Miller	
35	68-14-13	Maxine Waters*	Ross Moen	Gordon Mego (AI) Charles Tate (L)
36	45-33-18	Jane Harman*	Gloria Davis Lee Leslie Paul Whitehead	Mike Binkley (L) Alice Stek (PF)
37	62-18-14	Peter Mathews Juanita Millender-McDonald* Albert Robles	Vernon Van	Herb Peters (L)
38	58-23-15	Michael Manzo Grace Napolitano*		
39	53-27-15	Linda Sanchez*	Tim Escobar	
40	33-47-15	Christina Avalos J. Tilman Williams	Ed Royce*	
41	33-50-12		Jerry Lewis*	Peymon Mottahedek (L)
42	30-51-16	Lewis Myers	Gary Miller*	
43	51-33-12	Joe Baca*	Ed Laning	
44	33-49-14	Louis Vandenberg	Ken Calvert* David Rizzo	Kevin Akin (PF)
45	36-49-12	Dennis Lockhart Richard Meyer	John Barker Mary Bono*	
46	**32-48-16**	**Dornan vs. Rohrabacher**		**See page 17**
47	47-33-16	Loretta Sanchez*	Alexandria Coronado Virgel Nickell	
48	27-52-17	John Graham	Christopher Cox*	Bruce Cohen (L)
49	29-51-16	Mike Byron	Darrell Issa*	Lars Grossmith (L)
50	30-46-19	Francine Busby	Randy Cunningham*	Diane Templin (AI) Gary Waayers (G) Brandon Osborne (L)
51	48-31-17	Bob Filner* Danny Ramirez	Ruben Garcia Michael Giorgino	Michael Metti (L)
52	31-47-17	Brian Keliher	Duncan Hunter*	Michael Benoit (L)
53	41-32-21	Susan Davis*	Darin Hunzeker	Lawrence Rockwood (G) Adam Van Susteren (L)

* incumbent

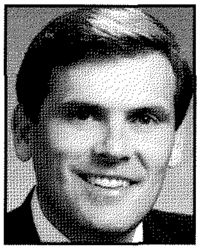
CONGRESS

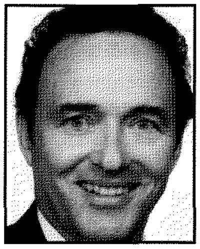
DISTRICT 3 (37% D – 45% R – 14% DS)

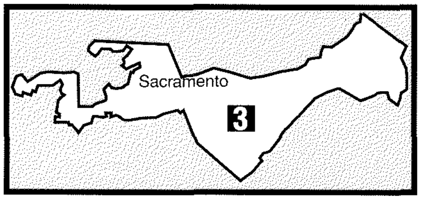
Democrat: Gabe Castillo of Sacramento.

Republicans: Richard Frankhuizen, Rico Oller and Mary Ose, all of Sacramento; Dan Lungren of Folsom.

Libertarian: Douglas Tuma of Antelope.


Oller


Lungren

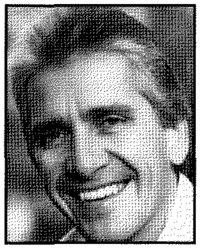


Incumbent Doug Ose's retirement from Congress created a rare event in California — an open congressional seat. The district itself looks like the T-Rex that ate Sacramento as it sprawls along an east-west corridor from the Nevada border south of Lake Tahoe and through Gold Country foothills to bracket the city. Most of the population lies in the capital's burbs, however. Republican in nature, it has attracted four GOP candidates, the most recognizable of whom is Dan Lungren, the former state attorney general, congressman and failed 1998 gubernatorial nominee. Lungren is running on his record as a conservative, touting accomplishments such as "three strikes," Megan's Law and the "truth in sentencing" law. His endorsement roster reads like a who's who of the Republican Congress: Rules Chmn. David Dreier, Ways and Means Chmn. Bill Thomas, International Relations Chmn. Henry Hyde, Veterans' Affairs Chmn. Chris Smith, and on and on. He's also enlisted support from law enforcement, including locals such as Sacramento Co. DA Jan Scully and Sheriff Lou Blanas, and from recall hero Ted Costa and "three strikes" proponent Mike Reynolds. Lungren's camp believes he will run strongest in the Sacramento portion of the district, where 85% of district voters live, and that gives him a big advantage over his No.1 opponent — state Sen. Rico Oller, who mostly represents foothill and mountain territory. Oller, not surprisingly, has pulled most of his endorsements from the Legislature, although four Central Valley congressmen have joined as well: John Doolittle, Wally Herger, Richard Pombo and George Radanovich. That takes on significance if Oller pushes the notion that he — not Lungren — is the true local since Lungren represented Long Beach, not Sacramento. Most of Oller's GOP Senate colleagues back him, as do a sizeable number of Assembly Republicans. Oller also has dented Lungren's conservative base by capturing endorsements from the California Republican Assembly, Howard Jarvis Taxpayers' Assn., and a wealth of local officials sprinkled throughout the district. Oller has run slash-and-burn campaigns in the past for both Assembly and Senate, and some observers believe he may torch Lungren. That may or may not play well in the district, and against a candidate who usually takes the high road. The third candidate with any chance is Mary Ose, sister of the current incumbent. She has the ability to self-fund, and she'll need plenty of cash to make inroads against a pair of opponents with strong elective records. Her hope is that she seals off the middle, capturing most of the moderate vote, while Oller and Lungren neutralize each other with the right. Oller also has the problem of enhancing his name ID in and around Sacramento while defending his less-populated mountain base. Against Lungren, that is a formidable task.

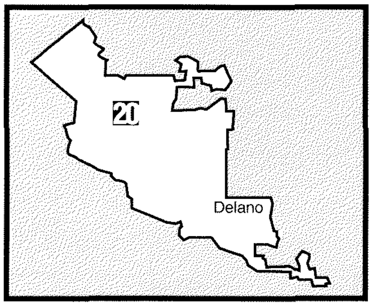
DISTRICT 20 (52% D – 36% R – 9% DS)

Democrats: Jim Costa and Lisa Quigley, both of Fresno.

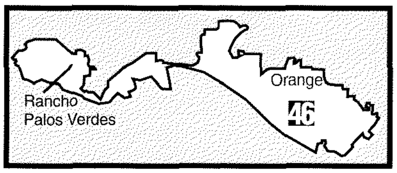
Republicans: Roy Ashburn of Bakersfield; Gino Martorana of Selma.


Costa

Quigley



Incumbent Cal Dooley's retirement in what could be a competitive Central Valley district should keep this area on the front burner well past the primary. On the Democratic side, former state legislator Jim Costa is opposed by Dooley's former chief of staff, Lisa Quigley. Costa served in the Legislature for 24 years, in the Assembly and Senate between 1978 and 2002, when he finally was termed out of both houses. He is regarded as an expert on water and agricultural policy and even served a term as president of the National Council of State Legislatures. His name ID is strong throughout the district, and he's called in a lot of political chits. Quigley, on the other hand, is relatively unknown. Although a Central Valley native, she lived in Washington, D.C., for more than a dozen years while working for Dooley and others, only moving to Fresno last September to run for office. Her father once served as mayor of Merced, which might give her some legs were it not for the fact that Merced is not in the district. She has been endorsed by EMILY'S List, which provides campaign resources to women candidates. Even without EMILY'S, Quigley was able to tap donors for $100,000 in seed money last fall. It was a nice start, but she'll need a ton more to build the kind of name ID her opponent has going into the race. The Republicans also have a contested primary, although it is not likely to be much of a contest. State Sen. Roy Ashburn should coast to victory, then prepare himself for a bruising fall campaign against the winner of Costa-Quigley. The GOP had visions of knocking off Dooley in years past and claiming this Central Valley seat for themselves. But the 2001 reapportionment added serious Democratic heft to the district, making Democratic candidates much safer than in years' past.



DISTRICT 46 (32% D – 48% R – 16% DS)

Democrats: Jim Brandt of Palos Verdes; Tan Nguyen of San Marcos; Paul Wilkins of Long Beach.
Republicans: Bob Dornan of Los Angeles; Dana Rohrabacher* of Huntington Beach.
Green: Tom Lash of Huntington Beach.
Libertarian: Keith Gann of Costa Mesa.

Every election needs comic relief, and former U.S. Rep. Bob Dornan's attempt to unseat incumbent Dana Rohrabacher should provide it. Dornan hasn't served in Congress since 1996, when he was knocked off by Democrat Loretta Sanchez in another part of Orange Co. Always bombastic and ever entertaining, he likely will carpet bomb Rohrabacher, himself no slouch at fiery infighting. But Dornan's entry isn't the most mystifying aspect of this primary. That would be the presence of three Democrats vying for the right to be mashed in November by the eventual Republican winner.

State Senate

SD	D%-R%-DS%	Democrat	Republican	Other
1	33-47-15	Allan Dollison Kristine McDonald	Dave Cox Chris Schneider	Roberto Liebman (L)
3	53-19-22	Davy Jones Carole Migden	Andrew Felder	David Rhodes (L) Ian Grimes (PF)
5	46-36-13	Mike Machado*	Gary Podesto	
7	47-34-15	Tom Torlakson*		
9	59-15-19	Don Perata*	Patricia Deutsche	Peter Von Pinnon (L) Tom Condit (PF)
11	**47-28-20**	**A pair of Democrats vie to replace Byron Sher**		**See page 18**
13	**49-24-22**	**John Vasconcellos' departure opens another seat**		**See page 19**
15	38-40-16	Peg Pinard	Abel Maldonado	Brook Madsen (G)
17	36-45-14	Jonathan Kraut	George Runner	John Ballard (L)
19	36-43-16	Paul Graber	Tom McClintock*	
21	46-32-17	Jack Scott*		Bob New (L)
23	50-28-17	Sheila Kuehl*	Leonard Lanzi	Colin Goldman (L)
25	62-20-13	Ed Vincent*	Brenda Green James Spencer Ernest Woods	Dale Ogden (L)
27	51-29-15	Alan Lowenthal	Cesar Castellanos Michael Jackson	
29	33-47-16	Rufino Bautista Jr.	Bob Margett*	Dan Fernandes (L)

* incumbent

chart continues next page

State Senate cont'd

SDD%-R%-DS%		Democrat	Republican	Other
31	35-48-13	Marjorie Mikels	Bob Dutton	
33	28-53-16	Randall Daugherty	Dick Ackerman*	
35	***29-50-17***	**Two Assemblymen duel to replace Ross Johnson**		**See page 19**
37	35-49-13	Pat Johansen	Jim Battin*	
39	40-34-20	Christine Kehoe	Ken Bourke Ralph Denney Jim Galley Larry Stirling	John Murphy (L)

* incumbent

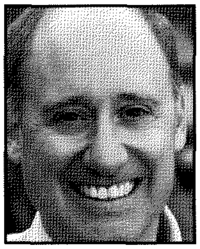
STATE SENATE

DISTRICT 11 (47% D - 28% R - 20% DS)

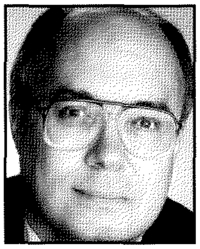
Democrats: Ted Lempert of Redwood City; Joe Simitian of Palo Alto.

Republicans: Jon Zellhoefer of San Jose.

Libertarian: Allen Rice of San Jose.

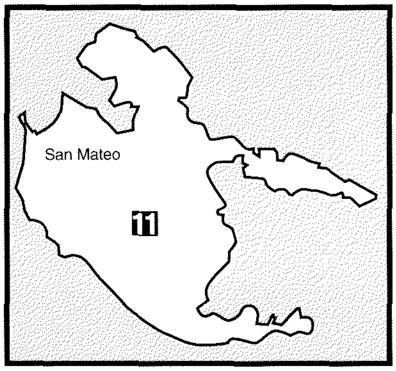


Lempert



Simitian

More than a few Democrats were grumpy with Joe Simitian's decision to abandon his Assembly seat a term early and seek a spot in the Senate. Assembly Democrats were miffed because it created an open seat in AD 21 where a bruising primary will not be helpful as Democrats gear up for a costly fall race against a very wealthy Republican. And a number of Senate Democrats were annoyed because Simitian rained on Ted Lempert's parade. Lempert considered running for the Senate four years ago but was persuaded to put his ambitions on hold and not challenge incumbent Byron Sher in the primary. Lempert agreed in exchange for support in 2004, when Sher is termed out. But, hey, this is the era of term limits, and politicians have to grab for whatever brass ring presents itself. For Simitian, then, trading two more years in the Assembly for an eight-year gig in the Senate must have been something of a no-brainer. The district itself runs from San Carlos and Redwood City in the north to Capitola and Santa Cruz in the south and takes in San Jose, Palo Alto, Atherton and Redwood City. Both Simitian and Lempert have been working hard, both on foot and on the phones, and each has a good base. Simitian is winning the money war, with more than $800,000 at his disposal in two different accounts (one Senate and one left over from the Assembly). Lempert had $556,000 and change in his account at the end of 2003, so money will not be the object. Simitian has a better elective base, however, given his Assembly district and a previous stint as a Santa Clara Co. supervisor. Lempert has been out of the Legislature since 1992 when he lost a congressional primary to Anna Eshoo, although he later served as a Santa Clara Co. supervisor. The Lempert name, however, has great standing in the district where the candidate's mother has long been active in politics. Lempert has nailed down an impressive list of supporters, starting with newly elected San Francisco Mayor Gavin Newsom and his predecessor Willie Brown, state Treas. Phil Angelides, state Controller Steve Westly, state schools' chief Jack O'Connell, Sen. Pres. pro Tem. John Burton and most of his caucus, and San Francisco Supe. Tom Ammiano. Note, however, that none of those folks actually represent voters in this district. Simitian, on the other hand, has a huge list of local endorsements from Santa Clara and San Mateo county officials, plus House Democratic leader Nancy Pelosi and the area's two members of Congress — Sam Farr and Eshoo. More significant is the backing Simitian has from two major labor groups, the California Teachers Assn. and SEIU. The CTA, especially, has made his election a priority. Independent expenditures could pour in to this district for both candidates, and it has been suggested that the IEs will be motivated by personality since not much separates the two on issues. Late November polls by both camps showed Simitian with the lead but also showed a majority of voters had yet to make up their minds.



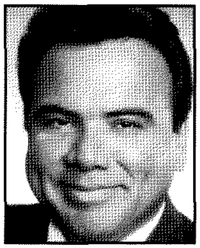
DISTRICT 13 (49% D - 24% R - 22% DS)

Democrats: Elaine Alquist of Santa Clara; Manny Diaz and Jose Medeiros, both of San Jose.

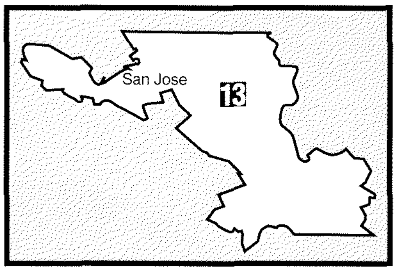
Republicans: Shane Connolly and Andrew Diaz, both of San Jose.

Libertarian: Michael Laursen of Mountain View; John Webster of Santa Clara.

Alquist


Diaz

John Vasconcellos' departure from the Legislature after nearly 30 years has sparked a toss-up primary between former Assm. Elaine Alquist and current Assm. Manny Diaz. Alquist starts the race with a built-in advantage — her last name. Until termed out in 2002, she represented a good chunk of the Senate territory, and there are more voters in her old AD 22 than in Diaz' current AD 21. But the real oomph behind her name comes from her husband — former state Sen. Al Alquist, who represented this area for 33 years before being termed out in 1996. Diaz is not as well known but has put together an effective ground operation in Alquist's old district. Both candidates have good campaign treasuries, although Diaz outraised Alquist 2-to-1 in the fourth quarter of 2003. Both also have labor endorsements. Firefighters and nurses are with Alquist, while the labor council and some building trades unions have gone with Diaz. He also has the nod from the Sierra Club and most education groups. In terms of political endorsements, Diaz is backed by, among others, U.S. Rep. Zoe Lofgren, who represents the same area and is very popular throughout Santa Clara Co. Diaz also nailed down the critical Democratic Party endorsement at the party convention in January. Independent expenditures could play a part in this race, with some business groups weighing in for Alquist. Most observers expect a mud-filled campaign, and the opening shot was a Diaz reminder to Democratic voters that Alquist once was a Republican.



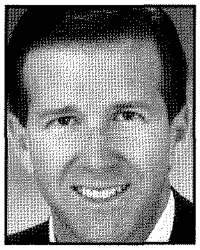
DISTRICT 35 (29% D - 50% R - 17% DS)

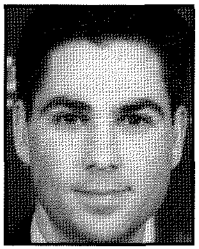
Democrat: Rita Siebert of Fountain Valley.

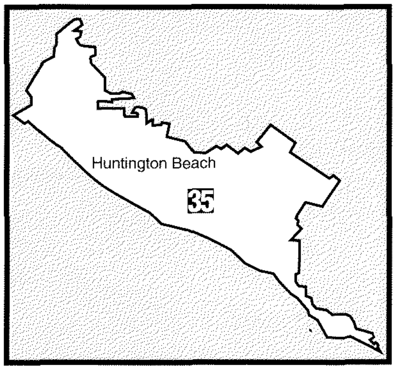
Republicans: John Campbell of Irvine; Ken Maddox of Dana Point; Joe Snyder of Capistrano Beach.

Libertarian: Timothy Johnson of Fountain Valley.

The only Republican Senate primary of consequence is a ripper between a pair of incumbent Assembly members who have been chewing on each other for the better part of two years. John Campbell was Republican point man on the 2003-04 budget, and that can be good news or bad news depending on how voters in this conservative enclave view the outcome. Ken Maddox had to move into the district to run, even though his Assembly territory overlaps part of the Senate district. Money will be no object for either side, so the race will come down to mail, shoe leather, cable TV and hard work. The race, spawned because longtime GOP legislator Ross Johnson is termed out, also is another Orange Co. contest featuring GOP consultants Dave Gilliard (Campbell) and Wayne Johnson (Maddox). Both candidates have shown the ability to campaign hard, although Maddox has the bigger hill to climb because he now represents only about 20% of the district. Campbell represents 40% of it. Both candidates are touting long lists of endorsements. Ross Johnson has backed Campbell, as has Sen. Min. Ldr. Jim Brulte, local U.S. Reps. Dana Rohrabacher, Ed Royce and Darrell Issa, and most members of the Orange Co. Board of Supervisors. Maddox has been endorsed by former Secy. of State Bill Jones, Rev. Lou Sheldon of the Traditional Values Coalition, state Sen. Tom McClintock, the local chapter of the California Republican Assembly, some environmental groups and a host of law enforcement organizations. He also has been working in tandem with Assembly candidate Van Tran, which gives Maddox entreé to the area's significant Vietnamese community. Meanwhile, it will be hard for the camps to stay clear of the gutter, as evidenced by the first few volleys. Campbell has already dropped mail critical of Maddox and plans to club him with what he characterizes as Maddox's pro-labor voting record. Maddox, for instance, has been endorsed by the firefighters union. For his part, Maddox refers to Campbell as a "liberal," which is a little like calling Lassie a cat because she once licked her paw. Still, Maddox intends to hit Campbell for supporting college tuition for illegal immigrants and other immigration issues. Polls taken early in the campaign showed Campbell ahead, but heavy money had yet to appear in the form of IE campaigns. The area likely will be saturated with them on behalf of both candidates.


Campbell


Maddox



Assembly Districts 1-33

AD	D%-R%-DS%	Democrat	Republican	Other
1	45-30-16	Patty Berg*	Dominic Foppoli Ray Tyrone	Ken Anton (L)
2	34-48-13	Barbara McIver	Doug LaMalfa*	
3	34-44-16	Robert Woods	Rick Keene*	Robert Burk (L)
4	32-48-15	Todd Schwenk	Tim Leslie*	
5	36-44-15	Sandra Carey Tim Loree	Michael Fox Roger Niello	Melissa Manfre (L)
6	50-26-17	Joe Nation*	Carolyn Patrick	
7	**51-29-15**	**A pair of Democrats square off to succeed Pat Wiggins**		**See page 22**
8	46-32-17	Lois Wolk*	John Munn	
9	**55-23-16**	**Darrell Steinberg's departure attracts a crowd**		**See page 22**
10	38-44-13		Alan Nakanishi*	Cullene Lang (L)
11	53-27-15	Joe Canciamilla*	Paul Santiago	Frank Manske (L)
12	53-15-27	Leland Yee*	Howard Epstein	Chris Maden (L)
13	56-11-25	Mark Leno*	Colin Gallagher Gail Neira	Jonathan Marvin (L)
14	57-17-18	Loni Hancock*	Lance Montauk	Kevin O'Neal (L)
15	38-43-15	Elaine Shaw	Guy Houston*	
16	62-11-20	Wilma Chan*	Jerald Udinsky	
17	49-39-9	Barbara Matthews* William Sweet	Nellie McGarry Moses Sanchez Charles Shults	
18	55-24-17	Johan Klehs		Ronald Colfer (L)
19	50-26-20	Gene Mullin*	Catherine Brinkman	Miles Gilster (L)
20	**47-26-23**	**Democrats vie to replace Jim Dutra**		**See page 23**
21	**45-32-19**	**Joe Simitian's run for Senate creates a two-party brawl**		**See page 24**
22	43-28-24	Sally Lieber*	Marie Dominguez-Gasson	
23	**52-22-22**	**Manny Diaz seeks Senate; four Dems seek his seat**		**See page 24**
24	45-31-19	Rebecca Cohn*	Fred Jankowiak Ernie Konnyu David Redick	Zander Collier III (L)
25	38-46-11	Bryan Marks	Dave Cogdill*	
26	43-44-9	Tim Weintz Sr.	Greg Aghazarian*	
27	46-30-17	John Laird*	Jack Barlich	
28	51-30-15	Simon Salinas*	Bob Perkins	
29	**35-51-11**	**Steve Samuelian's retirement sets off a GOP donnybrook**		**See page 25**
30	48-39-9	Nicole Parra*	Dean Gardner	
31	**49-38-10**	**Democrat Sarah Reyes leaves but the primary is GOP**		**See page 25**
32	31-54-11	Marvin Armas	Kevin McCarthy*	

* incumbent

Assembly Districts 34-66

AD	D%-R%-DS%	Democrat	Republican	Other
33	**35-45-15**	**Three Republicans vie to replace Abel Maldonado**		**See page 25**
34	35-48-13	Maggie Florez	Bill Maze*	
35	43-34-17	Pedro Nava	Bob Pohl	
36	36-45-14	Horton Scioneaux	Sharon Runner*	
37	**34-46-15**	**Tony Strickland is termed; his wife seeks to replace him**		**See page 26**
38	35-45-15	Brian Davis	Keith Richman*	
39	60-20-16	Cindy Montanez*	Ely Ayao	
40	48-31-16	Lloyd Levine*	Mark Isler	
41	48-31-16	Fran Pavley*	Heather Peters	Richard Koffler (L)
42	54-22-19	Paul Koretz*	Paul Fredrix	
43	44-33-18	Dario Frommer*		Sandor Woren (L)
44	45-33-17	Carol Liu*	Lynn Gabriel Dave Wilcox	
45	59-16-18	Jackie Goldberg*	Oscar Gutierrez	
46	67-12-15	Fabian Nunez*	Manny Aldana Jr.	
47	**66-13-16**	**Nate Holden in a five-way primary for the Wesson seat**		**See page 28**
48	72-8-13	Mark Ridley-Thomas*	Sebastian Alexander	
49	47-27-22	Judy Chu*	Sandra Needs	Laura Brown (L)
50	**62-18-15**	**Three Democrats vie to replace Marco Firebaugh**		**See page 28**
51	64-17-14	Jerome Horton*		Daniel Sherman (L)
52	74-8-11	Mervyn Dymally*		
53	41-36-18	Mike Gordon	Greg Hill	Ethan Boivie (L) James Smith (PF)
54	44-36-15	Betty Karnette	Steve Kuykendall	John Sterne (L)
55	56-25-15	Jenny Oropeza*	Margherita Underhill	
56	51-29-16	Rudy Bermudez*	John Brantuk	
57	51-30-15	Ed Chavez*	Victor Valenzuela Jr.	
58	54-28-14	Ron Calderon*	Rita Topalian	
59	33-49-14	Dan Harden	Dennis Mountjoy*	Fritz Ward (L)
60	**31-49-16**	**Gayle Pacheco wants her termed-out husband's job**		**See page 28**
61	49-33-14	Gloria McLeod*	Shirley Moore Alan Wapner	
62	**54-30-12**	**A familiar name vies to succeed John Longville**		**See page 29**
63	**36-48-13**	**Bob Dutton's Senate bid opens up the primary**		**See page 29**
64	34-49-13	Robert Melsh	John Benoit*	
65	35-48-12	Rita Ramirez-Dean	Russ Bogh*	
66	29-53-14	Laurel Nicholson	Ray Haynes*	Jack Lee (L)

* incumbent

Assembly Districts 67-80

AD	D%-R%-DS%	Democrat	Republican	Other
67	32-48-16	David Silva	Tom Harman*	Norm Westwell (L)
68	**34-44-18**	**Ken Maddox's bid for the Senate creates an opening**		**See page 30**
69	**50-31-15**	**A former Democratic Assembly member tries a comeback**		**See page 30**
70	**28-51-17**	**Six Republicans want to replace John Campbell**		**See page 31**
71	27-55-15	Bea Foster	Todd Spitzer*	
72	33-49-15	Ross Johnson	Lynn Daucher*	Brian Cross (L)
73	**27-52-17**	***Pat Bates' departure sets up 3-way GOP primary***		**See page 31**
74	29-48-18	Karen Underwood	Mark Wyland*	Paul King (L)
75	29-47-21	Karen Heumann	George Plescia*	Richard Senecal (L)
76	**39-33-21**	**Both parties have contested primaries for an open seat**		**See page 32**
77	31-48-17	Chris Larkin	Jay La Suer*	Virgil Hall II (L)
78	**42-36-17**	**Three Democrats vie to take on an incumbent**		**See page 32**
79	46-31-17	Juan Vargas*		Eli Conroe (L)
80	45-40-12	Mary Ann Andreas	Bonnie Garcia*	

* incumbent

ASSEMBLY

DISTRICT 7 (51% D – 29% R – 15% DS)

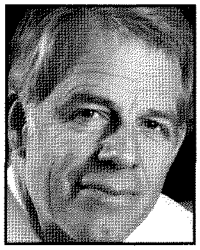
Democrats: Noreen Evans and Jim Leddy, both of Santa Rosa.
Republican: Pat Krueger of St. Helena.
Libertarian: F. Aaron Smith of Santa Rosa.

Democrat Pat Wiggins is termed, leaving a spirited battle in her wake between two Santa Rosa elected officials. Noreen Evans, an attorney, is now in her second stint on the Santa Rosa City Council, while Jim Leddy is in his first go-around on the city school board. He also is district director for the area's Democratic state senator, Wes Chesbro. Both candidates have amassed significant endorsements and modest campaign treasuries. Evans, who is regarded as collaborative and a deal-maker, is backed by Wiggins and the legislative women's caucus, Spkr.-elect Fabian Nunez and ex-San Francisco Mayor Willie Brown. Leddy, a hard-working campaigner, is backed by the area's congressional delegation, including House Minority Ldr. Nancy Pelosi, by Sen. Pres. pro Tem. John Burton and state schools' chief Jack O'Connell. Both candidates have many endorsements from local electeds, and both have support from major labor groups — nurses and firefighters with Evans; SEIU, teachers and state employees for Leddy. Environmental groups such as the Sierra Club back Evans, while education groups have gone with Leddy. As for money, Evans seeded her campaign early with a $50,000 loan, while Leddy was jump-started with significant support from Chesbro. Evans is considered the early front-runner because of her elective base as an at-large member of the council, and the fact that she also has been in office since 1996. Women also do well in the district, which includes the bulk of California's Napa Valley wine country.

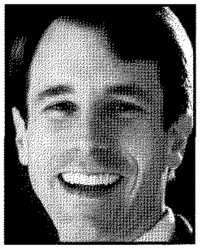
DISTRICT 9 (55% D – 23% R – 16% DS)

Democrats: Donna Bengay, Leslie Cochren, Roger Dickinson, Lauren Hammond, Manny Hernandez, David Jones, all of Sacramento.
Republican: Gaspar Garcia of Sacramento.
Libertarian: Gale Morgan of Rio Linda.

There is no shortage of Democrats willing to succeed termed-out Democrat Darrell Steinberg. Six jumped into the campaign, and four of the six have an elective base. The early front-runner was Sacramento Co. Supe. Roger


Dickinson

Hammond


Jones

Dickinson, who declared first and wrapped up some major endorsements, including that of U.S. Sen. Barbara Boxer and Sheriff Lou Blanas. Seen as the "business candidate," he pulled in a ton of financial support from area developers and ended the year with $203,000 in the bank. But Dickinson's status slipped as others filled out the field, especially two members of the city council—Lauren Hammond and David Jones. Jones is the progressive and by December had out-raised all of his opponents with over $310,000 on hand, thanks to strong backing from labor, the Sierra Club and teachers. A hard-working campaigner who has been precinct walking for months, he also has a good field program based on his labor support. Hammond benefits from the fact that she is the only woman in the race. She has some backing from women's groups and from the African-American community, as well as from the Maloof brothers, owners of the Sacramento Kings. She also has support from the Legislative Black Caucus. The fourth elected official is school board member Manny Hernandez, who observers say has been handicapped by a slow start, lack of a campaign organization and viable fund-raising effort. At the first filing period, Hernandez had loaned himself $22,000 of a reported total of $28,000. His fund raising picked up in the fourth quarter, but he still badly trails his three opponents. Hernandez does have support from some Latino legislators, which could translate into cash and help as the campaign heats up. Independent expenditures were not expected to play a part in this race unless business interests rallied for Dickinson. As the year began, Jones had passed Dickinson as the candidate to beat, although some observers caution that Hammond should not be underestimated. She has been successful running as an underdog in the past and could surprise the field this time, given enough money to compete with Jones and Dickinson.

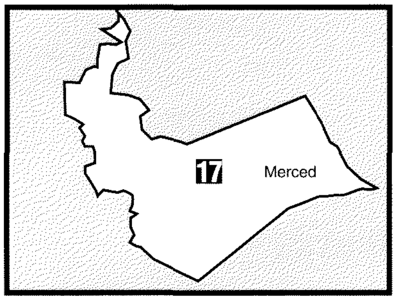
Sacramento
9

DISTRICT 17 (49% D – 39% R – 9% DS)

Democrats: Barbara Matthews* of Tracy; William Sweet of Merced.

Republicans: Nellie McGarry of Merced; Moses Sanchez and Charles Shultz, both of Tracy.

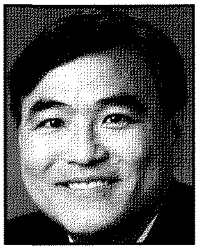
This Central Valley enclave is considered one of the more competitive Assembly districts in the state, so the Republican primary takes on significance as a pair of local activists seek to oppose incumbent Democrat Barbara Matthews come November. The leading Republican is Nellie McGarry, a former member of the Merced City Council with good name ID throughout Merced Co., which makes up about half the district. A Latina and a moderate, she has strong ties to the business community thanks to the auto dealerships that she and her husband own in Merced and her presidency of the local Hispanic Chamber of Commerce. She has been active in GOP politics for years and has been endorsed by Senate Republicans, including the area's representative — Jeff Denham. Ironically, her opponent with the Latino-sounding name — Moses Sanchez — isn't. He's African-American and hails from Tracy, which is a much smaller portion of the district. *Sanchez ran two years ago* but lost the GOP primary by better than 2-to-1. He subsequently lost a race for the Tracy school board. On the Democratic side, Sweet took on Matthews in the 2002 primary and lost 6-to-1.



DISTRICT 20 (47% D – 26% R – 23% DS)

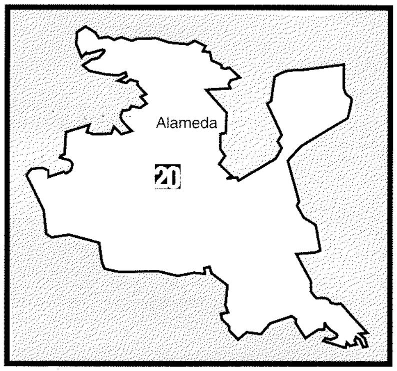
Democrats: Ash Bhatt, Dennis Hayashi, Tom Pico and Alberto Torrico, all of Fremont; Henry Manayan of Milpitas.

Republican: Cliff Williams of Milpitas.


Hayashi

Torrico

A wide-open brawl has commenced in East Bay communities that make up this district, with five viable candidates in the hunt to replace Democrat Jim Dutra, who is termed. Four of the five list Fremont as home yet none of them has an elective base in Fremont, which has three times as many voters as any other community in the district. Ash Bhatt, who trumpets Willie Brown's endorsement on his Web site, is a former San Francisco Public Utilities Commissioner, Tom Pico is the former mayor of Pleasanton and Alberto Torrico is a Newark councilman. Dennis Hayashi has never been elected to office from the area and has lived in the district only a short time. Henry Manayan is the former mayor of Milpitas. Torrico is Dutra's choice to succeed him and has lined up impressive support from labor. He also has the backing of Spkr.-elect Fabian Nunez and many moderates among Assembly Democrats, but his base in Newark in relatively tiny. He likely will get IE help from those moderates as the campaign winds toward Election Day. Pico, a CPA by trade, has the backing of Sen. Tom Torlakson, who represents the area, and Berkeley Mayor Tom Bates, who doesn't. Pico has raised substantial money from builders, developers and the local Asian



community, but he also has nailed down an endorsement from the Sierra Club. Bhatt, who bills himself as an entrepreneur, has generated nearly all of his financial support from the Indian-American community, but he had the unenviable record of ending the year with his campaign account in debt. Manayan, an attorney and venture capitalist, loaned himself $20,000 at the start of the campaign and continued to raise money at a good clip through the end of the year. He served three terms as Milpitas' mayor and is said to have good ties to the area's business community. Among his endorsements are Dolores Huerta, co-founder of the UFW, former San Jose Mayor Susan Hammer, U.S. Rep. Mike Honda, Assm. Leland Yee and state Controller Steve Westly. His Web site also lists a number of endorsements from mayors around the region, but none of the cities represented actually lie within the district. Finally, there is Hayashi, an attorney who once worked for the Clinton administration and served as national president of the Japanese-American Citizens League. Hayashi, the most liberal of the candidates, seeded his campaign with a $60,000 loan but has lagged far behind the rest of the field in fund raising. That may not matter, trial lawyers are expected to play big here with independent expenditures on behalf of Hayashi, giving him the oomph to compete with Torrico down to the wire. He has hired Richie Ross as his campaign consultant.

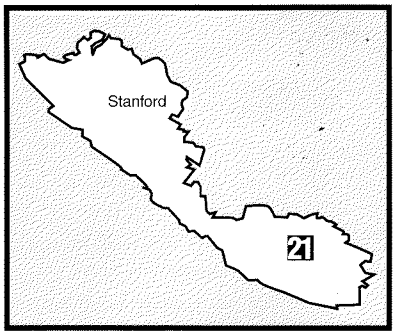
DISTRICT 21 (45% D – 32% R – 19% DS)

Democrats: John Barton of Palo Alto; John Carcione and Ira Ruskin of Redwood City; Barbara Nesbet of Los Gatos.

Republican: Steve Poizner of Los Altos.

The heat will simmer through this affluent, Peninsula district all the way through November thanks to incumbent Joe Simitian's decision to vacate a term early and run for the state Senate. His departure set off a Democratic tussle that features one of the most recognizable names in the Bay Area — Joe Carcione, grandson of the famous "green grocer." Carcione, a trial lawyer seen as the progressive in the race, pumped in $200,000 of his own money to give his treasury a little heft, then added to that pile with contributions from the likes of Spkr.-elect Fabian Nunez. Trial lawyers will step up with IE campaigns for Carcione, as well. Even without that backing, Carcione likely will out-raise his main opponent, Redwood City Councilman Ira Ruskin, who nonetheless will have substantial help from organized labor, including IEs. He's been endorsed by Assm. Sally Lieber from the neighboring AD 22 and has hired consultant Richie Ross. Ultimately, the primary will be a battle between Carcione's money and name ID against labor's field army operating on behalf of Ruskin. Their campaigns will dwarf those of the other two Democrats — Monte Sereno Councilwoman Barbara Nesbet and Palo Alto School Board Member John Barton. As the only woman in the campaign, Nesbet could make some noise, but she got a late start and will need a barrel of money to make up ground. Her elective base in Monte Sereno is miniscule, although she recently gained an endorsement from state Sen. Liz Figueroa. Barton, a moderate, has a good base in Palo Alto but not much money. Finally, there is the Republican — Steve Poizner, a Silicon Valley entrepreneur who has backing from the likes of John Walton and Donald Fisher. As though he needed their dough. Last October, Poizner dug some spare change out of his coin purse and loaned his campaign $500,000. He's worth enough to write similar checks all the way to November, making this a very competitive district regardless of who wins the Democratic primary.

Ruskin



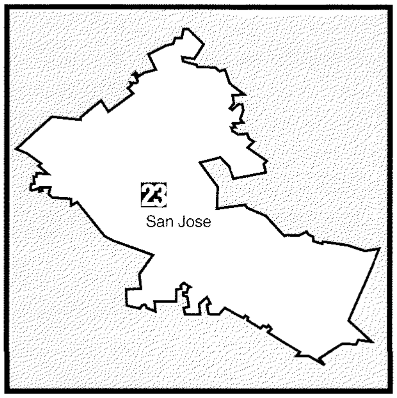
DISTRICT 23 (52% D – 22% R – 22% DS)

Democrats: Joe Coto, Patricia Martinez-Roach, Khanh Tran, all of San Jose; Kathy Napoli of Santa Clara.

Republican: Mark Patrosso of San Jose.

Libertarian: Warner Bloomberg III of San Jose.

Democrat Manny Diaz is running for the state Senate, and a two-way primary has emerged among Democrats to replace him. Joe Coto is a rarity — a former superintendent of schools (San Jose) who has the support of teachers' unions. Considered the front-runner, he is rich in other endorsements as well, with backing from Diaz and other Latino legislators, moderate members of the Assembly Democratic caucus, San Jose Councilman Rod Diridon Jr. and high-profile labor guns such as the firefighters. His main opponent is Kathy Chavez Napoli, a businesswoman who jumped into the contest late but dumped $100,000 of her own money into the campaign as a way to catch up. She also hired Richie Ross to direct her effort and earned the endorsement of Assm. Sally Lieber. The other two Democrats — school district trustee Patricia Martinez-Roach and teacher Khanh Tran won't be able to compete on the same level.



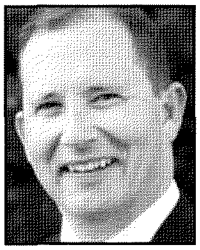
DISTRICT 29 (35% D- 51% R – 11% DS)

Democrat: Michael Macias of Clovis.

Republicans: Mike Briggs of Clovis; Chris Mathys and Mike Villines, both of Fresno.

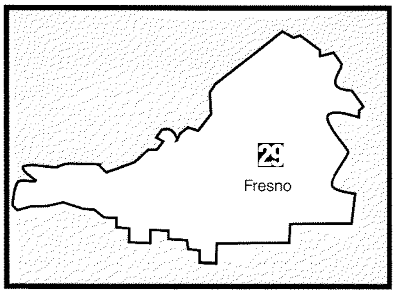
Green: John Crockford of Clovis.

Mathys



Villines

Maybe it's the water. Or something in the air. Whatever the cause, this area has sent some quirky Republicans to Sacramento over the past decade. First, there was Mike Briggs who once pled no contest to statutory rape. Briggs lost a 2002 congressional primary because he had provided the Democratic majority with a key budget vote and, after leaving office, was rewarded for that vote with a controversial but lucrative "thank you" contract from Democratic Assm. Spkr. Herb Wesson. Yes, Virginia, that's the same Mike Briggs who is on this ballot as a candidate for his old job. He has one term remaining before term limits turn his carriage into a pumpkin. Meanwhile, Briggs was succeeded two years ago by Steve Samuelian, whose pumpkin broke apart before ever becoming a carriage. After surviving a gutterball election in 2002, his Assembly career was destroyed when police stopped him last summer for loitering in a section of Fresno known for prostitution. Although no charges were filed, the publicity — and Samuelian's less-than-adequate explanation — angered supporters who dropped him like a stone in local polls. After Chris Mathys and Mike Villines filed to run against him, the incumbent bowed out. Enter Briggs, seeking a chance to serve his final term, and the cast of characters for 2004 is complete. Villines, who once worked for Gov. Pete Wilson and Sen. Chuck Poochigian, is clearly the choice among legislative Republicans. His list of endorsements reads like a who's who in Sacramento and is led by Wilson, Fresno's Bill Jones, GOP Senate leader Jim Brulte, Min. Ldr. Kevin McCarthy, and a host of other GOP congressmen, state senators and Assembly members, plus many local elected officials, including Fresno Mayor Alan Autry. He is said to be McCarthy's top priority, and has gathered support from the California Farm Bureau Federation, significant in this rural Central Valley district. Mathys, a former Fresno councilman who lost the mayoral race to Autry several years ago, is trying to slow Villines with money, having loaned his campaign close to $100,000. But efforts to raise money outside his own wallet have been flat, and he showed only $23,000 on hand at the end of 2003, compared with $141,000-plus for Villines. An anti-tax activist, Mathys is the more conservative candidate and has better local name ID thanks to his service on the Fresno council. And then there is Briggs, who has had difficulty raising money but remains well known to district voters. His last run for office was in 2002 when he came in third in a congressional primary won by Devin Nunes. As noted, that effort was hampered by his vote for the 2002 budget; any chance to reconcile with GOP powers in Sacramento was torched when his post-Assembly contract essentially made him a Democratic employee. As a result, it might be difficult for Assembly Republicans to embrace him should he win the election — a notion likely to find its way into district mailboxes during the campaign. The early favorite is Villines, but to win he must transform his many endorsements into district votes.

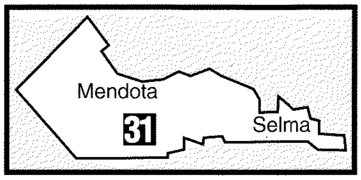


DISTRICT 31 (49% D – 38% R – 10% DS)

Democrat: Juan Arambula of Fresno.

Republicans: Paul Betancourt of Kerman; Stan Warkentin of Dinuba.

Democrat Sarah Reyes is termed, and powerhouse Fresno Co. Supe. Juan Arambula is set to succeed her. But this is the Central Valley, where anything can happen, so Republicans are pushing Paul Betancourt, a member of the Kerman school board and former president of the farm bureau. He should easily brush aside Stan Warkentin, who works at a local truck stop. Then in the fall, he'll have to climb a political Mt. Everest to reach Sacramento.



DISTRICT 33 (35% D – 45% R – 15% DS)

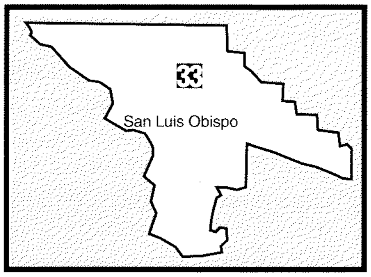
Democrat: Sam Jenkins of San Luis Obispo.

Republicans: Sam Blakeslee and Matt Kokkonen, both of San Luis Obispo; Michael Zimmerman of Arroyo Grande.

Green: Tom Hutchings of San Luis Obispo.

Libertarian: Gary Kirkland of Atascadero.

With incumbent Republican Abel Maldonado running for the Senate, a three-way primary has emerged on the GOP side — although only two of the candidates have the money and resources to brawl their way to the finish line. Cuesta Community College Trustee Sam Blakeslee is the front-runner, having nailed down every significant local and Assembly endorsement this side of Mars. Long active in community affairs, he also has pumped $132,000 of his own money into the race and hired Sacramento-based consultant Wayne Johnson to make sure he spends it wisely. Blakeslee ended the year with more than $200,000 on hand, compared with $83,000 for his nearest competitor, Matt Kokkonen. Early polls give Blakeslee a substantial lead over both his opponents.



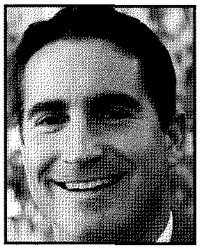
Not to be taken likely, however, is Kokkonen. He is said to be a hard-working candidate and already has radio ads running along the coast. He has been endorsed by some of the Assembly's more conservative members, including Dennis Mountjoy. A financial adviser, Kokkonen wasn't stingy with his own money, either, having seeded his campaign with $97,000 last fall. This is coastal California, where moderation — especially on environmental issues — is no vice for a Republican, and that may give an additional edge to Blakeslee. Kokkonen is said to be everywhere these days, but he'll have to continue to wage a vigorous ground campaign to offset Blakeslee's local pedigree among GOP voters. And he'll have to raise a lot more money to continue building name ID. Those early polls showed that Kokkonen hadn't gained much traction from his activity, which included radio ads and mail. He finished third behind Blakeslee and Michael Zimmerman.

DISTRICT 37 (34% D – 46% R – 15% DS)

Democrat: None.

Republicans: Jeff Gorell of Camarillo; Eric McClendon of Simi Valley; Mike Robinson and Audra Strickland, both of Thousand Oaks.

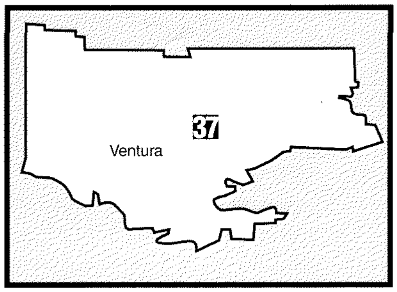
Green: Adrienne Prince of Camarillo.



Gorell

Strickland

In the big universe of legislating, incumbent Republican Tony Strickland is still a babe — 33 years old and only six years under his legislative belt. But in the narrower universe of California legislating, Strickland is an old man, in the fatal grip of term limits and about to succumb. Circumstances what they are, the race to succeed him has attracted a quartet of Republican wannabes, one of whom will win the seat in this less-than-competitive district. The early front-runner is the candidate with the same last name as the incumbent — Audra Strickland. They also share an address, a car, bank accounts and an outlook on life, given that Audra is the incumbent's wife. She long ago nailed down most of the major endorsements, including Sen. GOP leader Jim Brulte, former Assm. GOP leader Dave Cox and veteran Sen. Ross Johnson. Local legislative icon Tom McClintock has dual endorsed Strickland and Mike Robinson, his district rep. She also has backing of several Native American tribes, conservative financier Edward Atsinger III, and nearly every member of the Assembly GOP caucus. Strickland, 29, sits on a local school board and already has dumped mail into the district. She has consistently raised money and ended the year with over $300,000 on hand. Her campaign is guided by Joe Justin. Mike Robinson, who is 28 but has aged well, bought himself instant respectability by peeling $500,000 from his own wallet, giving him the resources to compete with Strickland. His own money aside, Robinson has shown little ability to raise funds. Assm. Dennis Mountjoy has endorsed him, as has Sen. Roy Ashburn, the right-leaning California Republican Assembly (not to be confused with the caucus), former Ventura Co. DA Michael Bradbury and several local officials. His campaign literature indicates that Robinson is tacking far to the right in his effort to nail down conservative voters. The third major candidate is Jeff Gorell, a deputy district attorney who tried to run in 2002 in a neighboring district but had to pull the plug on his campaign when, as a Naval Reserve officer, he was called to duty in Afghanistan. He is the moderate in this race, having been endorsed by Republicans for Choice, Assm. Keith Richman, former Gov. Pete Wilson and former LA Mayor Richard Riordan. Bradbury also is listed as a supporter on the Gorell Web site. Gorell loaned himself $16,000 to start the campaign, but has raised little since and his year-end total is a pea shooter compared with Robinson's arsenal of nuclear weapons and Strickland's ability to generate cash from her husband's Rolodex. As a result, Gorell heads into the campaign's critical phase seriously under-funded, hampering his ability to adequately compete. Still, if Strickland and Robinson split the conservative vote, Gorell could wiggle in if he can rally Republican moderates. Strickland will be a presence there as well, however, for she has some labor support in the form of an endorsement from the firefighters' union. If any IEs play a significant role, they likely will be on behalf of Strickland and come from Assembly Republicans. The fourth candidate, attorney Eric McClendon, is not a factor.

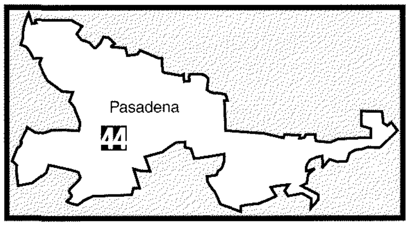


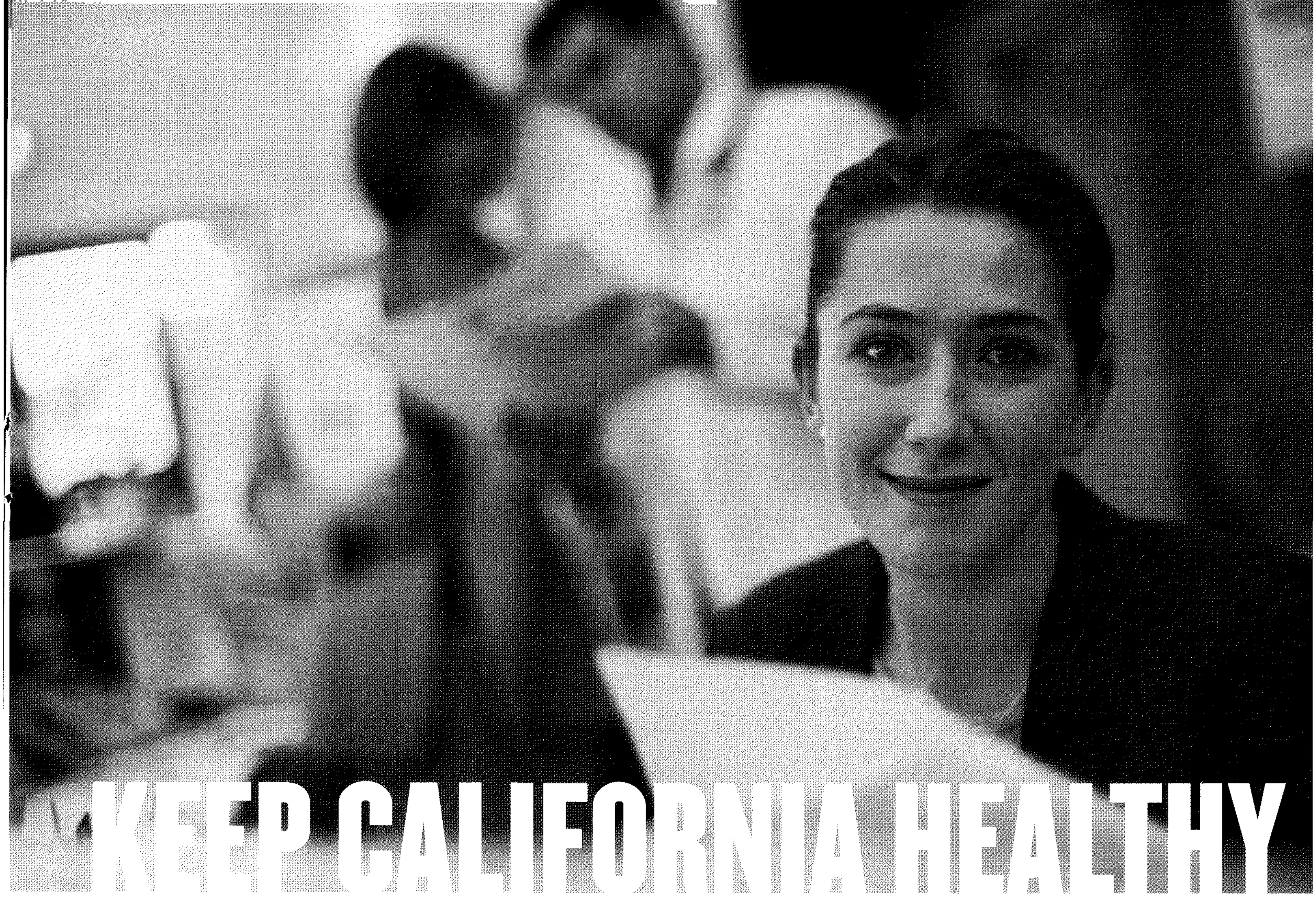
DISTRICT 44 (46% D – 33% R – 17% DS)

Democrat: Carol Liu* of South Pasadena.

Republicans: Lynn Gabriel of Pasadena and Dave Wilcox of La Canada.

Republicans think incumbent Democrat Carol Liu is vulnerable in the fall, lending some significance to this GOP primary. The favorite is Lynn Gabriel, an optometrist and community activist who has a few nickels to pitch into the campaign. In addition to her own successful practice, her husband owns the Closet Factory. Sacramento consultant Joe Justin is running the campaign. Her opponent is a Cal Tech Ph.D. who also is a member of the national Libertarian Party and very conservative. He had yet to file a campaign-finance report by the end of the year, indicating that he may not have the resources to run a viable campaign. The Assembly caucus is watching closely. If Gabriel can defeat Wilcox, Republicans will make a run at Liu. If Wilcox wins, the GOP likely won't play in this sandbox.





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Clinic Services: Reproductive Health Care, Family Planning Services and Primary Care Options. Funding for family planning services saves California money. For every $1 spent on family planning, an estimated $4.48 is saved in future medical and social service costs through the prevention of unintended pregnancies.

Sexual Health Education: Planned Parenthood Affiliates across the state provide educational services to thousands of parents and teens each year. The state's emphasis on family planning in recent years has led to a dramatic decrease in teen births.

Advocacy: Planned Parenthood has sponsored landmark legislation on Reproductive Health, Family Planning and Comprehensive Sex Education to solidify California's status as the most pro-choice state in the union.

Planned Parenthood works every day to ensure:

- All Californians have access to quality, affordable reproductive health care
- Teens and adults have the information they need to make responsible choices
- That every child is a wanted child and every family is a healthy family

"I am 26 and have no health insurance. The company I work for doesn't offer health insurance and I can't afford to pay monthly on my income. Planned Parenthood is a wonderful resource for people like me."

Anonymous,
San Diego

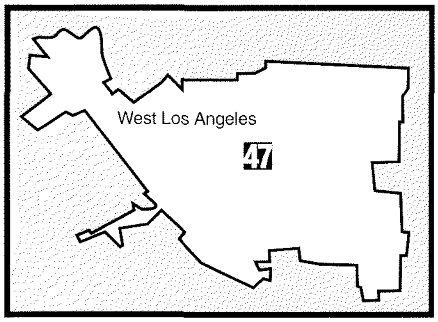
PPAC
Planned Parenthood®
Affiliates of California, Inc.
Providing responsible choices through advocacy and political action.

DISTRICT 47 (66% D – 13% R – 16% DS)

Democrats: Karen Bass, David Cooper, Richard Groper, Nate Holden and Rickey Ivie, all of Los Angeles.
Republican: Dale Everett of Culver City.
Libertarian: Peter DeBaets of Los Angeles.

Bass

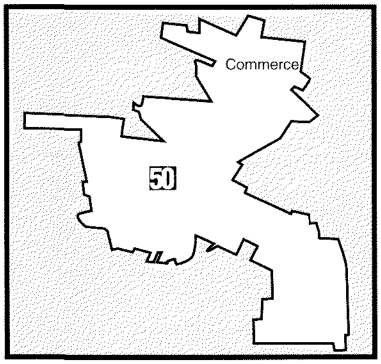
Democrat Herb Wesson has gone to that great speaker emeritus graveyard, leaving five mourners to elbow each other for his seat. The most recognizable name is that of Nate Holden, a former member of the Los Angeles City Council and former state legislator. Name is just about all that Holden brings to the contest, for he is short on cash and his fate will depend on the other four candidates carving themselves into thin slices of the vote. He jump-started his own campaign with $45,000 last fall and raised about $70,000 from other sources by the end of the year. Among his contributors are Assms. Mervyn Dymally and Juan Vargas. But Holden's treasury is dwarfed by that of entertainment attorney Rickey Ivie, who raised nearly $200,000 as of last October. Ivie has the support of Wesson, as well as attorney Johnnie Cochran, L.A. Co. Supe. Yvonne Burke and the local warlords who follow her flag. Because he declared early and had Wesson's backing, he also rounded up a lot of endorsements from sitting legislators. A political activist, Ivie directs the African-American Caucus' independent expenditure committee, which gives him a modicum of influence over who does and does not receive caucus help. Richard Groper, a political science professor at UCLA, is the only Anglo in the race in a district where the largest voting-age population is white (32%). His fund raising is paltry, with less than $14,000 raised in the fourth quarter of 2003, compared with over $70,000 for other candidates. It is said he'll need every white vote to squeak through the primary. Unfortunately for Groper, the area's most prominent Anglo politician — state Sen. Sheila Kuehl — has endorsed someone else. And that someone else is Karen Bass, a longtime activist who started the Community Coalition to combat drug dealing and the proliferation of liquor stores in South Central L.A. and has been building grassroots support in the area for over a decade. Her coalition has 3,500 members, half of whom live in this district. She has the backing of Spkr.-elect Fabian Nunez, L.A. Councilman and former Spkr. Antonio Villaraigosa, Assm. Mark Ridley-Thomas and U.S. Rep. Dianne Watson — and all the local warlords follow Watson's flag. More important, she is heavily backed by Miguel Contreras and the Los Angeles Labor Council, which has made her election a priority. Although Ivie will have the most money, Bass will raise over $400,000 in her own right and also employ her own and labor's ground forces. The unknown factor at this writing is official support from Westside Jewish activists and U.S. Reps. Henry Waxman and Howard Berman. The Jewish vote makes up some 28% of likely voters and could be a force on Election Day if they stampede into one camp.



DISTRICT 50 (62% D – 18% R – 15% DS)

Democrats: Hector Chacon of Commerce; Hector de la Torre of South Gate; Xavier Reyes of Downey.
Republican: Juan Mendez and Gladys Miller, both of South Gate.

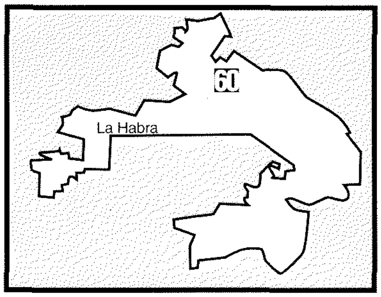
The contest to replaced termed-out Democrat Marco Firebaugh involves a pair of Latinos with decidedly different bases of support. Hector Chacon is a member of the Montebello School Board who is backed by business, including gambling interests such as Hollywood Park, the Bicycle Casino and California Commerce Club. They helped him raise a respectable $56,000 between October and December. Hector de la Torre is the mayor of South Gate and has the support of labor. Unions began to carpet-bomb contributions into the district at the end of 2003, allowing de la Torre to raise more than $75,000 over the fourth quarter and end the year with $149,000 in the bank — nearly three times Chacon's year-end wad. While Chacon has been endorsed by Assm. Mervyn Dymally and state Sen. Gloria Romero, de la Torre is backed by Firebaugh, Spkr.-elect Fabian Nunez, Assm. Alan Lowenthal and most members of the Latino Caucus. De la Torre lost a congressional primary two years ago to Linda Sanchez, then turned his attention to South Gate, whose city politics have been plagued by scandal in recent years. De la Torre is one of the city's reformers. Chacon is said to be the better fund raiser, and could expect some help from business-oriented IEs, but he is handicapped by the fact that his elective base in Montebello is relatively small. De la Torre, on the other hand, can expect his ground operation to be bolstered by labor. He, too, is considered a good campaigner and has a strong base, thanks to his name ID in South Gate — the largest city in the district and nearly a quarter of its population.



DISTRICT 60 (31% D – 49% R – 16% DS)

Democrat: Patrick Martinez of Diamond Bar.
Republicans: Bob Huff of Diamond Bar, Bill MacAloney of Villa Park, Gayle Pacheco of Walnut.

Another district where a wife is attempting to succeed her termed-out husband (see Audra Strickland in AD 37). In this case, it is Gayle Pacheco, married to Bob Pacheco. Gayle Pacheco is a public official in her own right, however, as a former trustee of the Mt. San Antonio Commu-



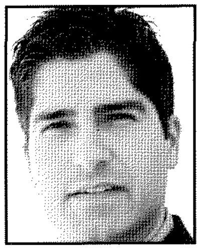
nity College Board. As one would expect, Assembly Republicans have mostly rallied to her cause, including Min. Ldr. Kevin McCarthy. She also has the backing of Sen. Jim Brulte, U.S. Rep. Darrell Issa and a wealth of local officials from San Bernardino and Los Angeles counties. Still, her election is not a slam dunk. Both of her opponents have elective constituencies, and one — Bill MacAloney — has the unfettered support of the grocers' association, of which he is a former president. Bob Huff is a member of the Diamond Bar City Council who just won re-election last November. Unfortunately, Diamond Bar only makes up about 15% of the district, and Huff had not bothered to file a financial report as of the end of the year, although he is said to have $285,000 on hand. Huff's opponents also have been quick to point out that Diamond Bar has produced some quirky Republicans over the past few years: Paul Horcher denied his party the speakership in 1994 by voting for Democrat Willie Brown instead of Republican Jim Brulte (Horcher subsequently was recalled); and Jay Kim had to wage his 1998 re-election campaign while under house arrest (he lost). None of this means Huff himself is suspect, but it does indicate the general downward direction of his campaign. Meanwhile, Pacheco and MacAloney have maintained parity in the money race. Both self-funded early — Pacheco with $100,000; MacAloney with $150,000 — and each raised just over $70,000 in the fourth quarter of 2003. Each began 2004 with over $200,000 in the bank. MacAloney, a Villa Park councilman, is the only candidate from Orange Co., which makes up 60% of the district. He's been endorsed by Orange Co. lawmakers, including Sen. Dick Ackerman and Assm. Todd Spitzer. He also has supplemented his loans with cash from the grocers, other food outlets and big-box retailers. Pacheco, on the other hand, has received a lot of corporate money, plus donations from several Native-American gaming tribes. Independent expenditure campaigns likely will be waged here, mostly on behalf of Pacheco.

DISTRICT 62 (54% D – 30% R – 12% DS)

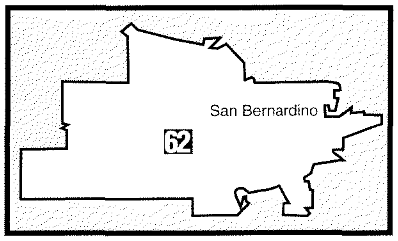
Democrats: Joe Baca Jr. of San Bernardino; Walter Hawkins of Rialto; David Pruitt of Colton.

Republican: Marge Mendoza-Ware of Bloomington.

What a lovely place is San Bernardino County, and how grand are its politics. Especially, Democratic politics. Incumbent Democrat John Longville is termed out and running for the county board of supervisors. The vacancy has spawned a nuclear war featuring the son of the local congressman on one side and, on the other, a former aide to the congressman himself. The son is Joe Baca Jr., and his father — that would be Joe Baca Sr. — has hammered together a nice endorsement list for the son, including Spkr.-elect Fabian Nunez, many Latino members of the Legislature and the Teamsters' union. The former aide is David Pruitt, who has Longville and most other labor groups in his corner, including the firefighters union and the Central Labor Council. Pruitt also has won the endorsement of the state Democratic Party. Baca – that would be junior – was expected to have a wide advantage in money, but most observers were surprised that he raised only $24,500 over the last three months of 2003, despite his father's pounding on potential contributors. Pruitt, on the other hand, raised more than $40,000. Baca has received much of his cash from legislators, Indian gaming tribes and tobacco companies. He also has received contributions from some union locals, but even those donations have been small by comparison. Pruitt has been able to cobble together a modest treasury from the likes of PG&E and labor, as well as a few legislators such as Sen. Gil Cedillo and Assms. Gloria McLeod and Cindy Montanez. Labor, however, brings a factor as significant as money — a dedicated ground effort and phone banks, critical in a district heavy with union members. He'll need every foot soldier to overcome the Baca name, which remains strong throughout the district thanks to Joe Sr. The contest itself is tangled up in local Democratic feuds featuring Longville and supporters of the late U.S. Rep. George Brown on one side and Baca and state Sen. Nell Soto on the other. The machinations almost resulted in Soto, who has a free ride in the Senate, running against Longville for supervisor. Had she won, it was rumored that Baca — that would be senior — planned to run for Soto's Senate seat. Squeezed in the middle of all this is the third Democrat, Walter Hawkins, a member of the Rialto school board. His base is relatively small, and he will have a chance only if Baca-Pruitt disgust voters by sinking below the level of road kill.



Pruitt



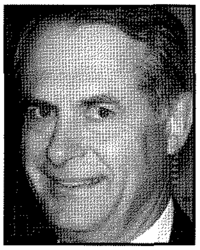
DISTRICT 63 (36% D – 48% R – 13% DS)

Democrat: D'Andre McNamee of Upland.

Republicans: Bill Emmerson of Redlands; Geoff Lyon, Mike Morrell, Elia Pirozzi and Sam Stavros, all of Rancho Cucamonga; Sylvia Robles of Grand Terrace.

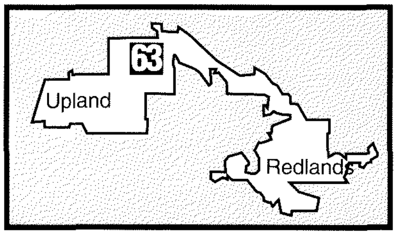
Libertarian: Maureen Keedy of San Bernardino.

Freshman Republican Bob Dutton didn't stay long in this Inland Empire seat; he's running for Jim Brulte's Senate spot, and six Republicans have jumped in to replace him. Of the six, two are said to be the most viable, while a third has loaned himself enough money to threaten a three-way. Most experts think the sprint to the finish will feature Bill Emmerson and Elia Pirozzi. Pirozzi's name ought to be familiar to district-by-district junkies because he has sought a seat in Congress twice before, losing both times and performing worse the second time than the first. Still, the name exposure has helped, as has the fact that he



Emmerson

is past chairman of the San Bernardino Co. Republican Party. That activism has provided a strong base among local GOP activists, as evidenced by his list of endorsements from local elected officials. He also has been able to raise a significant amount of cash — $245,000 by the end of 2003. A polished and hard-working campaigner, some believe he could be the beneficiary of an IE from Realtors. That will help, but not nearly as much as the IEs expected to be launched in this district by the state dental PAC on behalf of one of its own — Emmerson, former chairman of the California Dental Assn. Some observers think the dentists may pump as much as $1 million into the effort, which will make puny whatever amount Pirozzi is able to raise and spend. Emmerson also is the choice of local GOP poobahs. Although Dutton is neutral, Emmerson has earned endorsements from both Brulte and Bill Leonard, a state Board of Equalization member who represented this area in both the Assembly and Senate for more than two decades. The race will come down to Emmerson's (dental) money against Pirozzi's local support and ground operation. The third candidate with some heft is Mike Morrell, a local businessman who loaned his campaign $104,000 and brought in other contributions from mortgage and title companies. In another district, or another time, that kind of cash might buy enough wind to sprint to the finish. But with dentists poised to send a tidal wave of cash into the district, Morrell's little hundred-grand yacht will sink at its moorings.

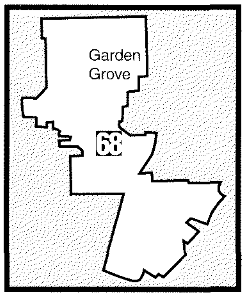


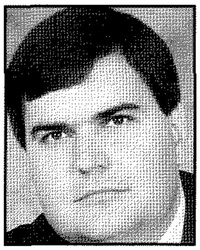
DISTRICT 68 (34% D – 44% R – 18% DS)

Democrat: Al Snook of Garden Grove.

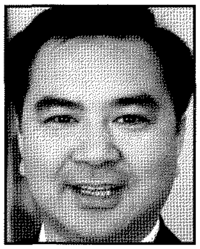
Republicans: Mark Leyes and Van Tran, both of Garden Grove.

Garden Grove becomes ground zero for this seat, opened when termed-out Republican Ken Maddox ran for the state Senate. Both Republicans in the hunt are members of the Garden Grove City Council, and there is said to be little love lost between them. They also are part of three Orange Co. primaries featuring the talents of consultants Dave Gilliard and Wayne Johnson. Leyes, who has Gilliard, is a staff aide to Assm. Bob Pacheco. He has been endorsed by Anaheim Mayor and former Assm. Spkr. Curt Pringle, Assm. John Campbell and several local council members. Tran, a Johnson client, has been endorsed by just about every other legislative Republican. As the highest-ranking elected Vietnamese-American in the country, Tran also has accumulated a sizeable war chest from the Vietnamese community, which has a strong presence in this part of Orange Co. Although both candidates have been raising money consistently, Leyes' effort nearly dried up in the fourth quarter of 2003 when he pulled in only $9,600. Tran, by contrast, took in $34,000 to end the year with $242,337 on hand — compared with $181,799 for Leyes. The campaign itself is likely to focus on Republican credentials, where Tran claims the high ground. His camp is quick to note that Leyes is a former Democrat who once endorsed Bill Clinton, worked for Tom Bradley's election as governor and campaigned for the Tom Hayden-sponsored Prop. 65. Leyes' camp is apt to point out that Tran, for all his GOP credentials, has earned the backing of several labor organizations. In the end, Tran's greatest asset — and his greatest challenge — is his ethnicity. It's an asset because the area is packed with potential Vietnamese voters. It's a challenge because voter turnout here is lower than in most Orange Co. districts, mostly because newly naturalized Vietnamese have yet to flex political muscle. Tran may motivate them and, if so, he'll become the first Vietnamese-American elected to any Legislature in the country.





Leyes



Tran

DISTRICT 69 (50% D – 31% R – 15% DS)

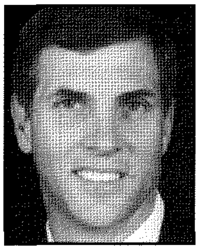
Democrats: Claudia Alvarez and Tom Umberg, both of Santa Ana.

Republicans: Otto Bade and Ruben Ross, both of Santa Ana.

Libertarian: George Reis of Newport Beach.

The Democratic primary to replace termed-out Democrat Lou Correa could be fought with the candidates standing on the sidelines, watching as heavyweight special interests slug it out using independent expenditures. On one side will be trial lawyers on behalf of former Assm. Tom Umberg, who is trying to return to the lower house after an absence of eight years. On the other side will be moderates and business interests weighing in for Claudia Alvarez, a deputy district attorney and member of the Santa Ana City Council. Neither side has lit up the world when it comes to fund raising, although Umberg did pull in some $80,000 in the fourth quarter of 2003, twice Alvarez' take over the same period. Both candidates started 2004 with paltry treasuries, however. Not that it will matter. The play here will be made by outsiders, and the outcome determined by how and when IE money pours in. And

Alvarez



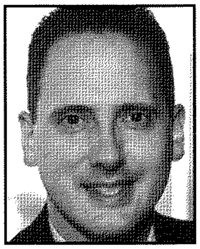
Umberg

69
Santa Ana

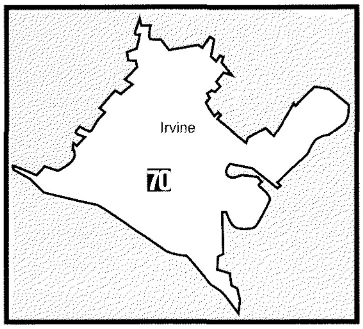
then, there are the district's demographics. They favor Alvarez, for this Orange Co. enclave is 50% Hispanic, 20% Vietnamese and only 30% Anglo. And therein lies the tale beneath the tale. Publicly, no one will say it, but privately, Latinos and Latino legislators are said to be furious with Umberg, even though some have endorsed him. They consider this a Latino seat, and they view Umberg's candidacy as nothing more than positioning himself to run for Democrat Joe Dunn's state Senate seat, which comes open in 2006. That has created some bad blood and a potentially ugly race. Umberg, who has only one term left in the Assembly, has been gone from elective office since 1996, and the district has changed much since his departure. Alvarez has solid credentials and a solid elective base that is far more current than Umberg's. If Latinos choose to cross the trial lawyers and make Umberg himself the issue, this could devolve into the hottest Assembly primary of 2004.

DISTRICT 70 (28% D – 51% R – 17% DS)

Democrat: Carl Mariz of Irvine.
Republicans: Cristi Cristich and Long Pham of Newport Beach; Chuck Devore, Chonchol Gupta and Donald Wagner of Irvine; Marianne Zippi of Balboa.
Libertarian: Mark Baldwin of Irvine.


Devore

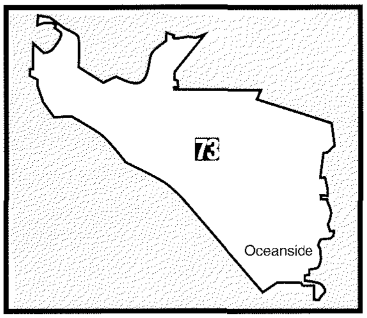
Incumbent John Campbell is leaving a term early to run for the Senate, and a half a dozen Republicans are dueling to replace him. Of the six, Cristi Cristich and Chuck Devore are considered the front-runners by virtue of money, organization and name. Both candidates come to the election with strengths and flaws, however. Cristich, who has Gilliard/Blanning running her campaign, owns a manufacturing plant and has gained the endorsement of GOP luminaries such as Senate leader Jim Brulte, Anaheim Mayor Curt Pringle, former Sen. Marian Bergeson and Assm. Lynn Daucher. She also has the support of the New Majority PAC, which weighs in on behalf of moderate Republican candidates. Although she likely won't need it, Cristich may benefit from a New Majority IE as the race heats up. She loaned herself $120,000 to start the campaign, then dropped in another $250,000 at the end of December. That gave her a cool $437,000 in the bank for the last 60 days of the campaign. And she may not be done picking the loose change out of her wallet. But Cristich, who has never run for office, also brings some baggage to a GOP primary. Eight years ago, for instance, she endorsed Bill Clinton for president and served as head of Republicans for Clinton. Her opponents also harp on allegations that she seriously explored sending some of her company's jobs to Arizona, only to stop the effort when she declared for the Assembly. Devore, with Wayne Johnson as his consultant, is a former staff aide to Rep. Christopher Cox and a Reagan administration official. He is farther to the right than Cristich and has been elected to the Orange Co. Republican Central Committee five times, giving him something of an elective base inside the party. Devore has had trouble winning outside the party, however. He lost to Cox in a 1988 GOP congressional primary, then lost a bid for the Orange Co. Board of Education two years later. Two years ago, he lost an Irvine City Council race. Private polls give Devore an early lead, but Cristich's ability to spend and spend and spend could even the playing field by Election Day. Devore will be hard pressed to keep up with her. His bank account was only half hers by the end of the year. Cristich also benefits from the presence of two other conservatives — Marianne Zippi and Donald Wagner. Although neither has the heft to win it all, Zippi brings some conservative endorsements to the table, including Carl's Jr. founder Carl Karcher, Assm. Ray Haynes, former Assm. Gil Ferguson and former U.S. Rep. Bill Dannemeyer.



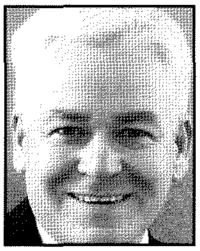
DISTRICT 73 (27% D – 52% R – 17% DS)

Democrat: Kathleen Calzada of Oceanside.
Republicans: Jim Gibson of Oceanside; Mimi Walters of Laguna Niguel; Tom Wilson of Laguna Hills.
Libertarian: Andrew Favor of Dana Point.

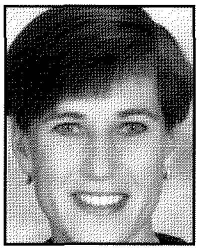
The third Gilliard-Johnson contest in Orange Co. comes in a district now represented by termed-out Republican Pat Bates. The Johnson candidate is Tom Wilson, chairman of the Orange Co. Board of Supervisors. His elective base represents a huge chunk of the district, which gives him a big edge in name recognition. His campaign claims to be well funded, although he had not filed an election campaign finance report with the Secretary of State's Office by the end of the year. He plans to run on his record as a supervisor, emphasizing his role as a tough fiscal manager who helped resurrect the county from bankruptcy. The Gilliard candidate is Mimi Walters, a wealthy Laguna Niguel councilwoman who has earned endorsements from Bates and area Rep. Darrell Issa. She got into the race early and has set the pace, having already dropped mail that included an absentee-ballot application. Although the more moderate New Majority PAC is supporting her, some observers say she has done a good job at co-opting con-



servatives as well. She, along with Wilson, helped lead the fight against an airport at El Toro Marine Base — a significant issue in this part of Orange Co. but one on which the two candidates neutralize themselves. Walters loaned herself $100,000 during the summer, then dropped another $25,000 of her own money into the race on the last day of 2003. That leaves at least $230,500 for the final push. The most conservative candidate in the race is Joe Gibson, a member of the Vista School Board and the only contestant from San Diego Co., which makes up about 45% of the district. He has garnered most of the conservative endorsements and most of the endorsements from San Diego, including the California Republican Assembly, U.S. Reps. Duncan Hunter and Randy Cunningham and Assms. Jay La Seur, George Plescia and Mark Wyland. It is said he could self-fund, but he has yet to break his piggy bank; until he does, he won't be able to match the resources of either Walters or Wilson. His fourth-quarter fund raising generated all of $12,000. To win, he must hope Wilson and Walters split the Orange Co. vote while he peels off the bulk of votes from San Diego. In the end, Gibson likely will be reduced to spoiler in a race between Wilson with his elective base and Walters with her checkbook.



Gibson



Walters

DISTRICT 76 (39% D - 33% R - 21% DS)

Democrats: Vince Hall, Lori Saldana and Heidi Von Szeliski, all of San Diego.

Republicans: Tricia Hunter and Bill Stamps, both of San Diego.

Libertarian: Jennifer Osborne of San Diego.

Incumbent Democrat Christine Kehoe is termed out and running for the Senate, leaving a trio of Democrats to wage war over her seat. Vince Hall is a former staff aide to Gov. Gray Davis who ran for the Assembly two years ago in AD 78 but suffered a narrow loss at the hands of Republican Shirley Horton. He subsequently uprooted himself for this part of San Diego, with the expectation that he would be handed the nomination — only to find a pair of other Democrats sharing the stump. Lori Saldana is a community college instructor with strong environmental ties who polled well without anyone knowing much about her. Her challenge will be to raise some cash — any cash — to maintain that momentum once her opponents start spending. Saldana's been endorsed by Assm. Juan Vargas from AD 79 but unless he has a bottomless checkbook, she's in trouble. Hall's previous run and Saldana's poll numbers notwithstanding, the most formidable candidate is Heidi Von Szeliski, a pollster who does work for the California Teachers' Assn., which is backing her candidacy. She also has been endorsed by Kehoe, state Sen. Dede Alpert and most Assembly Democrats, including the Legislative Women's Caucus. The campaign already has seen hit pieces, with Hall attacking Von Szeliski because her firm once did work for the Democratic bugaboo *du jour* — WalMart — even though Hall himself took money from the big-box behemoth two years ago. If Von Szleski has a vulnerability it is that she has no base of support outside special interests and legislators and no credentials as a public official. Whether Hall or Saldana can exploit that weakness, or whether voters care, remains to be seen. On the GOP side, former Assm. Tricia Hunter, a moderate, is running for her fourth elected office and is expected to win the primary.

San Diego
76

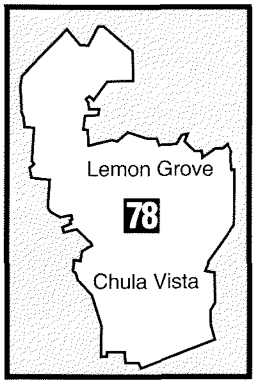
DISTRICT 78 (42% D - 36% R - 17% DS)

Democrats: Patty Davis and Arlie Ricasa, both of Bonita; Maxine Sherard of San Diego.

Republican: Shirley Horton* of Lemon Grove.

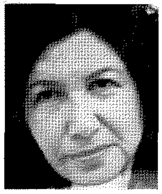
Libertarian: Josh Hale of San Diego.

Democrats feel they should have captured this seat in 2002 but suffered a narrow loss to Republican Shirley Horton. They plan to avenge that loss, provided their two leading candidates don't spill so much blood in the primary that they permanently damage the party's chances in November. This will be, so the story goes, an IE war, pitting moderates and business interests against trial lawyers. Business will chime in on behalf of Patty Davis, who has a resume‘ that is eerily akin to that of the GOP incumbent — Chula Vista City Council member and president of the local board of Realtors. She has backing from local Democratic state Sens. Dede Alpert and Denise Ducheny, as well as from Assm. Juan Vargas. She is considered the choice of Democratic legislative leadership who believe she would stand the best chance to unseat Horton. The trial lawyers back Arlie Ricasa, a member of the Sweetwater School Board and student development director at Southwestern College. She has a good elective base and has picked up support among Latino legislators. Consultant Leo Briones is guiding her campaign. Ricasa got a late start on the campaign due to a pregnancy, and has not raised as much money. Neither, for that matter, has Davis, although she ended the year with $62,000 in the bank, compared with only $14,000 for Ricasa.That playing field could be evened if trial lawyers weigh in with an IE, however. The third candidate, Maxine Sherard, ran in the 2002 primary but finished well out of the money with only 7% of the vote. She is not considered a factor.



Changing the debate on debt

by Susan Rasky



In the blizzard of numbers that will fly around the Capitol between now and budget reckoning day sometime in late June, one number is perhaps more revealing than any of the others. It's $4 billion — the annual debt service cost for a combination of borrowings past and what the state will incur for at least the next six years if voters approve the two large bond measures on the March ballot.

The debt service number is notable in this budget because it's more than twice the size of annual state borrowing costs in the last decade. Also because State Treas. Phil Angelides seems to think bashing the $15 billion "economic recovery" bond placed on the ballot by the Schwarzenegger administration and the Legislature is a good way to run for governor in 2006. Angelides' ambitions aside, the rise in borrowing costs per se is probably the least interesting reason to pay attention to something as arcane as debt service.

> Democrats would do well to start defining both the budget woes and the borrowing as consequences of under-taxing.

Here's what makes the $4 billion a year intriguing. It finally codifies, in a way even the most cynical or disengaged voter can grasp, the gap between the services Californians chose to provide for themselves over the past two years and the revenue available, or more accurately unavailable, to finance them. That's not rocket science, but it's something Democrats have been unwilling or unable to articulate to political advantage. Even Angelides only has it half right.

Republicans, including most recently and deftly Schwarzenegger, have managed to define budget issues in general, and borrowing in particular, as consequences of overspending. That's certainly one way to look at it, and it's certainly something voters will hear a lot more often before March 2 as the governor campaigns for passage of the $15 billion bond.

Democrats would do well to start defining both the budget woes and the borrowing as consequences of *under-taxing*. In other words, $4 billion a year in debt service is what Californians will be paying *in lieu of* higher taxes. At historically low interest rates, even with California's lousy credit rating, that's arguably a bargain for the health-care services, education and prison expansion the state bought its citizens. Perhaps someone should say that.

Instead of running away from debt service, perhaps Democrats should embrace it as their very own line item and reframe the whole budget debate. "Read My Lips," they could say to Republican legislators who dug their heels in on taxes. "Here's what it really cost, in dollars and cents, to have done business your way."

Imagine then, instead of simplistic drivel about burdening future generations with debt, a more neutral discussion of the economic and political tradeoffs between cutting spending, raising taxes or borrowing further to close what the Legislative Analyst pegs as an ongoing $6 billion budget gap. The $4 billion a year in borrowing costs, by the way, doesn't touch that.

Imagine a campaign celebrating decisions to expand health services or education as pro-business investments in human beings. What if a plain-talking Democrat explained that failure to invest in human infrastructure, no less than failure to maintain roads and buildings and water projects, drives businesses out of the state.

A new survey by the Public Policy Institute of California says that 53 percent of likely voters prefer to deal with the budget deficit through a mix of tax increases and spending cuts. Sixty-four percent say they'd be willing to pay higher taxes to maintain K-12 public education, and 57 percent say they'd pay higher taxes to maintain local government services. And 50 percent of likely voters would accept tax hikes to maintain funding for health and human services.

Good news for crafting a budget? Maybe, but not for Democrats if the only message the public gets from Democratic lawmakers is a choice among tax hikes.

The PPIC poll suggests just how profoundly disconnected voters are from the spending, taxing and borrowing done in their name. Despite their apparent willingness to accept higher taxes to protect some programs, 67 percent of likely voters in California believe state government could spend less and still provide the same level of services, according to the survey.

Perhaps the biggest mistake Democrats have made over the years is shielding voters from the opportunity to discover whether that's true.

Susan Rasky teaches at the UC-Berkeley Graduate School of Journalism. Comments may be sent to **comments@californiajournal.com**

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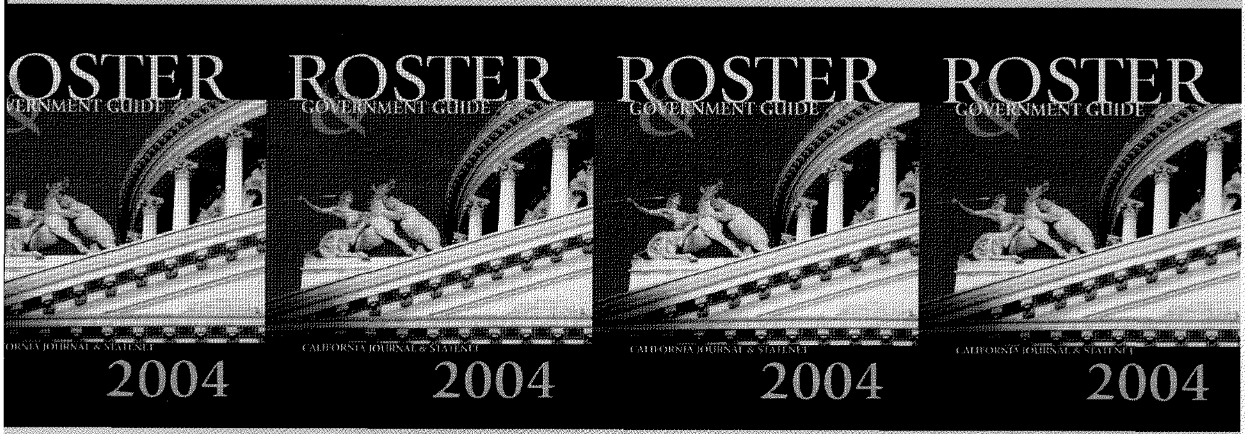

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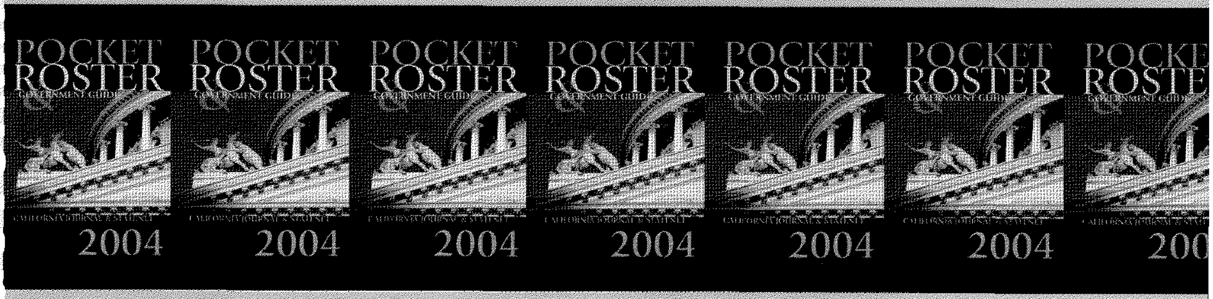

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JOURNAL

Campaign finance reform

By Darrell Steinberg

Campaign finance reform advocates for a quarter century operated in a cage called *Buckley*. Some of the bars, however, are being removed.

Buckley is the shorthand name for the U.S. Supreme Court's landmark 1976 ruling in *Buckley v. Valeo*. That historic collision between First Amendment rights and the desire to protect democracy from the corrosive influence of money produced a decision that greatly restricted reform. In an unsigned opinion, the justices said the Constitution permitted contribution limits, but not mandatory spending caps, restrictions on candidates' expenditure of personal funds or limits on spending by independent committees.

For the next 20-plus years, *Buckley* left in its wake a trail of dead reform efforts. The victims included two California reform initiatives passed by voters in 1988, and a third ballot measure approved in 1996. Until 2000, all California had to show for its numerous reform efforts was a ban on public financing of campaigns.

The tide, however, appears to be turning. At the federal level, Congress enacted the McCain-Feingold reform law that banned unlimited "soft money" contributions to political parties and restricted sham "issue ads" that actually support or oppose specific candidates. In California, voters passed Proposition 34 in 2000, which limits contributions in statewide and legislative races, provides a system of voluntary spending limits and regulates the same issue ads targeted by McCain-Feingold.

But California still is plagued by a rich candidate's system in which the wealthy have an unfair advantage.

But California still is plagued by a rich candidate's system in which the wealthy have an unfair advantage. Large contributors wield undue influence and, despite contribution limits, operate with scant restraints on their ability to fund "independent" expenditure campaigns. We need to do more to make our elections more competitive and our candidates less beholden to moneyed interests. We also need to address the independent expenditure loophole through which one could drive a Hummer.

Fortunately for those who support further reforms, the U.S. Supreme Court's 2003 decision upholding the McCain-Feingold law may make such reform possible. The Court did not signal it would abandon *Buckley* or its foundational holding that limits on political speech cannot stand if they do not help the government prevent actual or perceived corruption. The majority, however, did expand *Buckley's* contours. For example, the Court exploded the myth that only ads that expressly advocate the defeat or election of a candidate can be regulated. And it upheld McCain-Feingold's provisions to tighten the definition of what constitutes a true independent expenditure.

What's the upshot for California? The Court may or may not retreat from its ban on limiting truly independent expenditures. But the decision opens the way for California to close any existing loopholes in the definition of these expenditures. Perhaps we can impose further restrictions on misleading issue ads.

But beyond the loophole-closing, we need to take more direct, far-reaching action to achieve "clean" elections. A strong system of spending limits tied to public financing represents the best way to eliminate the two most serious deficiencies of the current system: the dominance of special-interest money and the advantages afforded wealthy candidates.

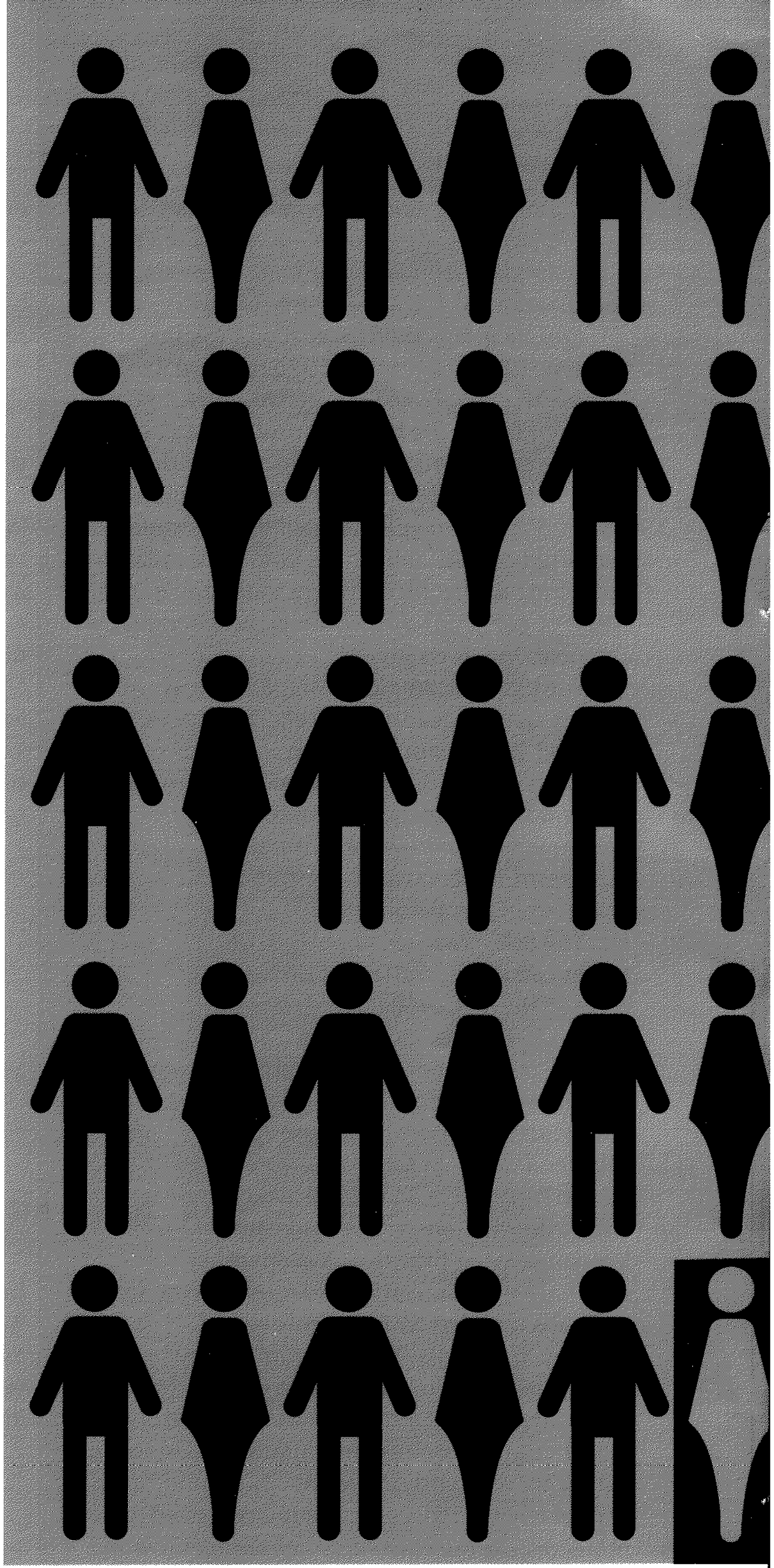
Reformers and policymakers should seriously consider the "Clean Money" systems enacted in other states, including Maine and Arizona. Under these rules, candidates who raise a minimum amount of "seed money" in $2 to $5 increments and agree to limit their spending, obtain full public financing of their campaigns. "Clean Money" candidates receive matching funds to keep pace with opponents who exceed the spending caps.

The results in other states have been more than encouraging — they offer real hope in what once was viewed as a quixotic quest. Since implementing their "Clean Money" systems, Arizona and Maine have seen significant increases in voter turnout and in the number of candidates. Additionally, candidates who ran "clean" have been highly successful in both states.

The opportunity is here. The time is now for significant reform. Without it, campaign spending will continue to escalate and election ballots will become more heavily dominated by the wealthiest, but not necessarily the best, candidates. Non-wealthy officials, including myself, will continue to spend too many hours raising campaign funds — and too few devising policies to make California a better place to live.

Assemblymember Darrell Steinberg (D-Sacramento) chairs the Assembly Appropriations Committee. Comments may be sent to **comments@californiajournal.com**

Balloting with unintended consequences



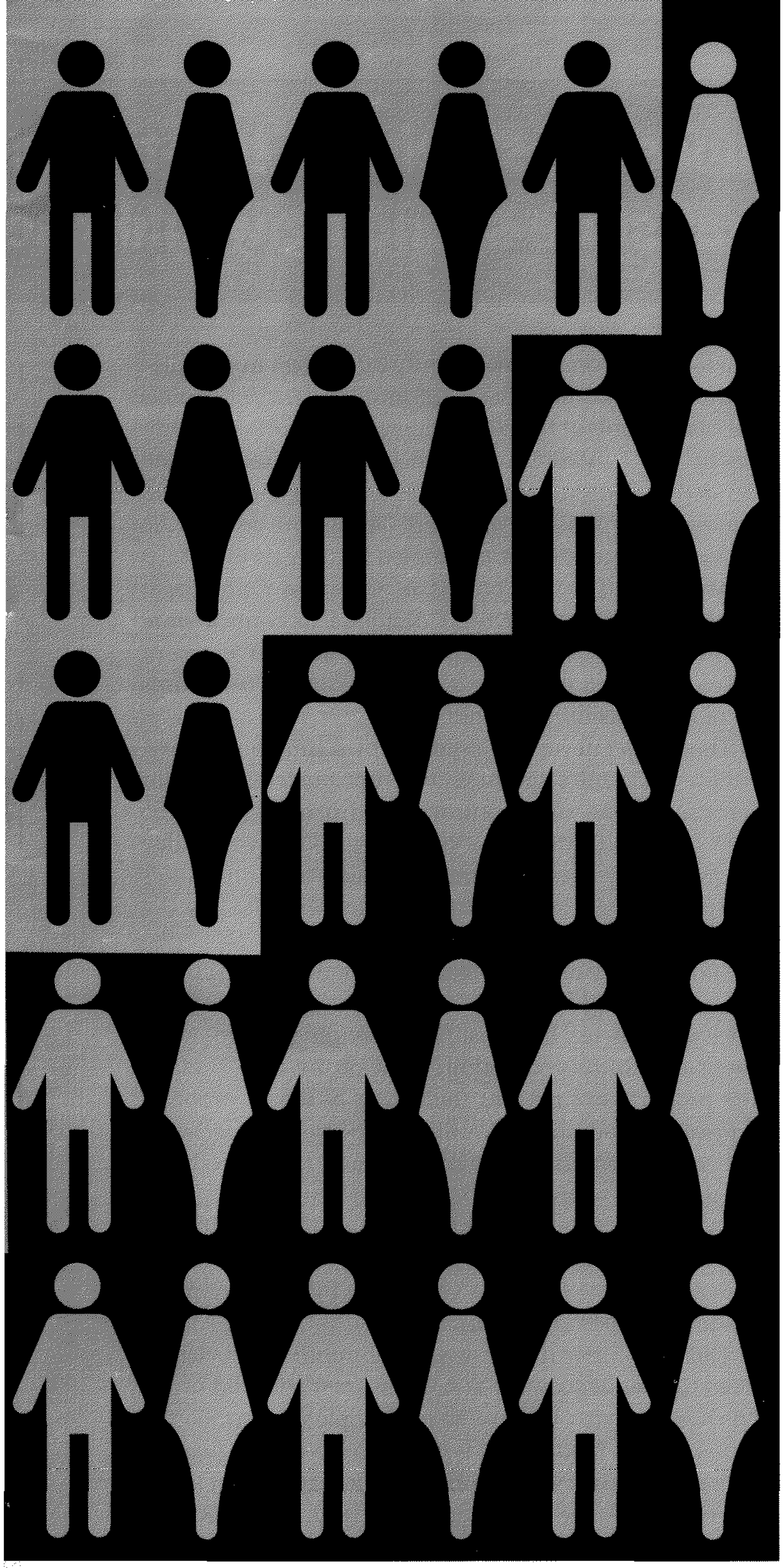
The two-thirds vote to pass a state budget in California dates back to an obscure constitutional amendment passed in a 1933 special election. Today, after 70 years of tweaking and amending, it remains one of the most significant— and unintended — consequences in the history of state ballot measures. This year, voters take it up again with Proposition 56.

By Martin F. Nolan

Every new governor could use a time machine. If Governor Arnold Schwarzenegger could travel back over the decades, he would see how the best intentions of California voters have shielded three-fourths of the state budget from his best intentions. If he visited 1933, he would see the origins of a device that has handicapped his predecessors — the requirement that a two-thirds vote in the Legislature is required to pass a budget. Changing that rule is one object of Proposition 56 on the March primary ballot.

Lemuel Gulliver, action hero in Jonathan Swift's 1726 epic, "Gulliver's Travels," makes a voyage to the land of Lilliput. Shipwrecked, he awakes, feeling much like a new governor of California:

"I attempted to rise, but was not able to stir: for as I happened to lie on my back. I found my arms and legs were strongly fastened on each side to the ground; and my hair, which was long and thick, tied down in the same manner. I likewise felt several slender ligatures across my body, from



my arm-pits to my thighs. I could only look upwards, the sun began to grow hot, and the light offended my eyes."

Gulliver was captured by Lilliputians, each a "human creature not six inches high, with a bow and arrow in his hands, and a quiver at his back." In the 20th and now the 21st century, the Lilliputians of California are known as Unintended Consequences, well armed and headquartered in the deep forests of every ballot question.

Proposition 1 in 1933 spawned brigades of Lilliputians. Proposition 56 in 2004 seeks to disarm them by allowing the Legislature to approve a state budget by 55 percent rather than a two-thirds vote. Begun in the Pre-Recall Era, the proposition includes powder-puff sanctions against legislators who miss budget deadlines, but its central point is removing the super-majority rule. The ballot arguments feature a familiar cast of opponents and proponents. Those who favor Proposition 56, like labor unions, Common Cause and the League of Women Voters, call it the "Budget Accountability Act." The California Chamber of Commerce and Californians Against Higher Taxes, who oppose it, call it "the blank check initiative." Schwarzenegger, who said he's against it, is focusing on his own Proposition 57, the $15 billion Economic Recovery Bond.

"No on 56" forces have money and momentum because voters remain suspicious of any tax, so on this Hummer-heavy freeway, the proposition looks like roadkill. But it is a good government position, says the "yes" crowd, seeking solace in the Old Testament. "The race is not to the swift, nor the battle to the strong," says Chapter 8 of Ecclesiastics. "No it isn't," Damon Runyon amended, "but that's the way to bet."

The governor voiced his opposition before he began dealing day-to-day with legislators. It may serve his long-range interests to urge a "yes" vote on all four ballot questions. Proposition 56, designed to end obstructionism in both parties, is based on a simple concept, the principle of majority rule. As with many other issues, the governor must reconcile Republican theology, hostile to any possibility of taxes, with practicality, including the political realities he might face this summer. He may be sorry if Proposition 56 fails.

"Prop. 56 could be his best friend in July and August," says Senate President pro Tem John Burton (D-San Francisco), who watched Gray Davis endure the drip treatment from Senate Republicans over the budget last year, eroding the former governor's authority and credibility, and contributing to his historic recall.

"If California were like 47 other states with a majority vote, Gray would still be governor," argues Democratic Party official Bob Mulholland, the party's designated doberman. "In the U.S. Constitution, the Founding Fathers put in a two-thirds vote for really important things, like treaties or impeaching the president. They didn't put it in for day-to-day harassment."

Many Republicans turn shades of magenta and vermilion at the thought of Mulholland, so they might view Proposition 56 as a liberal plot. But super-majority provisions in politics can boomerang.

In the 1950s, Northern liberals in the U.S. Senate needed a two-thirds vote to end the filibuster tactics Southern Democrats were using to delay or destroy civil rights legislation. The sons of the late Confederacy rationalized

The same measure that innocently stitched a two-thirds also ensured that state spending would rise

their obstructionism as serving the higher cause of states' rights. Today, Northern liberals use filibuster tactics against President Bush's judicial appointments, also rationalizing their obstructionism as serving a higher cause. Either way, it's day-to-day harassment.

June 15 is the constitutional deadline for passing California's budget. Although 120 legislators share responsibility for delay, it's easier to focus on the governor, especially if, like Davis, he's unpopular. Governor Schwarzenegger's popularity, while high, is not an infinite resource, not with the budgetary decisions he must make in the coming months. By mid-June, 14 senators of either party, all gerrymandered in safe seats and some term-limited, could decide to hold out against the governor day after day, copying the mutt-in-the-manger stance of the Republican caucus last summer.

Birthing history

In 1933, Schwarzenegger had not yet been born. John Burton was six months old. No one had heard of Social Security. Howard Jarvis was still a Utah resident, working for the Republican National Committee, before he met Alameda County District Attorney Earl Warren, who urged him to move to California. Readers of the *Los Angeles Times* followed "Gasoline Alley" and "Winnie Winkle" in the comics, as well as news about Fay Wray's rescue from drowning, child star Jackie Cooper's appendix operation, and the intent of former Postmaster General Will Hays to install a "production code" aimed at censoring movies.

Thus, the electorate was distracted in the days before a special election meant to deal with state spending. A week before that election, the *Times* published a photograph of 7,000 taxpayers crowding City Hall "taking advantage of the last opportunity to pay the county taxes due for the current fiscal year." The taxpayers were well dressed, but their faces betrayed a Walker Evans-photograph anxiety about the Great Depression, with its continuing high taxes and plummeting rental fees. Los Angeles County had more than 520,000 voters, but 300,000 were unemployed.

Throughout California's history, voters, legislators and tax officials have been unable to agree on a fair and sensible use of the property tax. On June 27, 1933, in a special election, Californians encountered yet another proposal — Question One, Senate Constitutional Amendment 30:

"Limits state appropriations. Commencing 1935 requires property of public utility companies assessed by State Board of Equalization and taxed locally for local purposes as other property, taxing their franchises and income for State purposes like business corporations; authorizes legislation limiting county *ad valorem* taxes, allocating State taxes to meet resulting deficiency. Requires local assessments at full cash value. Limits yearly expenditures by local subdivisions until July 1935, unless time extended by Legislature. Regulates taxation of banks and insurance companies. Empowers Legislature to provide any form of taxation not prohibited by Constitution."

Also buried in the bowels of Question One was a seemingly innocent provision designed to control state spending: If the state budget grew by more than 5 percent per year (starting in 1933), it would require a two-thirds vote of the Legislature to pass it.

The budget never again passed by a simple majority.

Question One's sponsors were not business or labor interests, but the state controller and a member of the Board of Equalization who cobbled together what they thought was the best solution. According to "California's Tax Machine," David R. Doerr's history published by the California Taxpayers' Association:

"Ray L. Riley and Fred Stewart were the co-authors of a plan adopted by voters in 1933 to control spending and reduce property tax burdens. Their spending control is the present two-thirds vote requirement of the state budget. Their property tax reforms (reduction of school property tax rates and adding public utility property to property tax rolls) caused increased state costs for schools and reduced state revenue by repealing the state in-lieu tax."

In other words, the same measure that innocently stitched a two-thirds vote into the state Constitution also ensured that state spending would rise by more than the threshold of 5 percent a year.

The Riley-Stewart plan was a Mammoth Lake of Unintended Consequences. A *Los Angeles Times* editorial urged a "no" vote, saying because so few people understood the ballot question "that alone is good reason to vote against it." That skepticism was prophetic: "There is no limit to the sales tax which the Legislature may levy." (In 1935, for instance, the Legislature also passed something called the Vehicle License Fee.) The voters, however, approved Riley-Stewart with 62 percent. The question won 56 of 58 counties, with only San Mateo and San Francisco dissenting.

By the 1960s, a commission charged with streamlining the state Constitution concluded that the two-thirds vote was a permanent part of the legislative landscape and so recommended "technical amendments" to codify what was reality. Voters approved the technical amendments as a way to clean up the Constitution, Doerr says. The clean-up became Article IV, Section 12 — which requires a two-thirds vote to pass a budget regardless of any formulas.

In 1970, another commission urged restoration of

vote into the state Constitution by more than the threshold of 5 percent a year.

majority vote, arguing that the two-thirds requirement "is going to subject the minority party, whichever party it is, to the temptation to vote to some extent on purely partisan considerations on the single most important proposal that comes before the Legislature year by year."

The report gathered dust.

In 1996, yet another commission also reported to then-Governor Pete Wilson that a majority vote on budgetary matters should be restored:

"In theory a two-thirds vote should force a compromise between the majority and minority parties. For a number of years, the system worked in this manner. Recently, however, it has permitted those who have specific interests, which may or may not be related to the budget, to delay passage of the budget by leveraging their issue into the budget debate. ...Although conventional wisdom indicates otherwise, the two-thirds vote requirement does not seem to limit higher levels of spending. In practice, it encourages it."

In the decades since Riley-Stewart, other institutions have reduced or abandoned super-majority provisions. Only three states require a two-thirds vote of the Legislature to approve a budget. But at no time did California voters say, "Gee, it would be swell if we could be like Arkansas and Rhode Island." On the federal level, the U.S. Senate, after decades of debate and glacial demographic changes, reduced the number of votes needed for cloture to end filibusters, from two-thirds to three-fifths. One of the most important changes in Congress passed quickly and unanimously.

In 1936, at the Democratic National Convention in Philadelphia, President Franklin D. Roosevelt urged that the party drop its two-thirds rule, which had been in effect since 1832. The rule had effectively given the South veto power over the delegates' choice of presidential nominees. It also meant multi-ballot ordeals in the nominating process. (The 1924 clambake took 103 ballots to choose a candidate.) In 1936, the high tide of Roosevelt's popularity, the convention's rules committee recommended ditching the two-thirds rule by a 36-13 vote. The convention then approved the change on a voice vote. The result nationalized and democratized nominating conventions. Democrats have gone to a second ballot only once since, in 1952, before the primary system further democratized the nomination process.

"Democracy is the recurrent suspicion that more than half of the people are right more than half of the time," E.B. White wrote in 1946. In extraordinary times, more than half may be needed, but those extraordinary times have become as ordinary as a hot summer in Sacramento. Politicians are always reluctant to second-guess the verdict of the voters. That is the strength of the initiative and referendum. But what about 70-year-old ballot questions? Schwarzenegger, who is not a politician, can well afford to offend any Californian who voted for Riley-Stewart in 1933.

The past is a familiar place for California's movie-star governor, not just as Hercules or Conan the Barbarian but as a savvy time-traveler comfortable in a time machine. Political advertising rarely appears on the cover of movie videos, but the one for "Eraser," starring Arnold Schwarzenegger and actress Vanessa Williams, carries a useful slogan, even a credible campaign promise:

"He will erase your past to protect your future."

Martin F. Nolan, former Washington bureau chief and editorial page editor for The Boston Globe, *lives in San Francisco. Send comments to* **comments@californiajournal.com**

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PROPOSITIONS AHEAD

March 2004 Ballot Propositions

An analysis of the four propositions on the March 2004 primary ballot.

Compiled by the staff of *California Journal*

Although only a quartet of measures appear on the March ballot, they take California to a political and policy crossroads. The two most significant are Propositions 56 and 57. Proposition 56, an initiative, reduces the majority required to pass a state budget from the current two-thirds to 55 percent, while Proposition 57 authorizes $15 billion in bonds to allow the state to pay off accumulated debt and provide a little breathing room to get its finances in order. Two other measures authorize revenue bonds for school construction (Proposition 55) and require that the state's budget be balanced when the governor signs it in July rather than when he presents it to the Legislature in January (Proposition 58).

Proposition 55

Kindergarten-College School Construction Bond

Background: Two years ago, voters approved the largest school construction bond in state history, a $13.1 billion bond that provided funding for new construction and repairs for K-12 schools, as well as a smaller chunk designated for state universities and colleges. It was aimed at chipping away at what was then pegged as $20 billion worth of backlogged school repair/construction projects. Placed on the November 2002 ballot by the Legislature, Prop. 47 was approved by 59 percent of voters. Unbeknownst to most voters, the Legislature's original bill authorized a second school construction bond: this year's Prop. 55. With roughly 7.9 million students enrolled in California schools, from kindergarten through college, the state faces a continual backlog of unmet school construction/retrofit projects. Based on project needs identified by K-12 schools and higher ed institutions statewide, the Legislative Analyst estimates there's currently $21.3 billion in new/updated school construction projects awaiting funding.

Proposal: Prop. 55 would authorize $12.3 billion for construction of new school buildings and the repair of rundown, existing facilities. Of the total, the biggest chunk — roughly $10 billion—would be allocated for K-12 schools and the remainder — $2.3 billion — for higher education, which includes community colleges, state universities and UC campuses. Under Prop. 55's terms, most of the $10 billion for K-12 schools would be designated to purchase land and build new schools, with a smaller amount set aside to retrofit and repair aging school classrooms, bathrooms and other buildings. Included is $2.4 billion designated specifically for new schools/classrooms in districts that are considered "critically overcrowded." To receive Prop. 55 monies, K-12 school districts must put up matching funds: 50 percent of new construction costs and 40 percent of repairs to existing school facilities.

For higher education, the bond money would be divvied up to pay for new building construction, retrofit of existing buildings and purchase of research equipment and supplies. Prop. 55 sets aside $920 million for community colleges, $690 million for CSU campuses and $690 million for UC campuses. The governor and the Legislature would select the specific higher education projects to be funded.

The cost to pay off the Prop. 55 bond, plus interest charges, is estimated at $24.7 billion: about $823 million per year for 30 years. If Prop. 55 doesn't pass in March, the same ballot measure will be back on the November 2004 ballot.

Arguments for: With nearly 75 percent of California's public school facilities at least 25 years old, proponents say this measure is sorely needed to fix leaky roofs, repair broken bathrooms and install heating/air conditioning. In addition, faced with growing student enrollments, supporters say Prop. 55 is essential to build the additional 22,000 classrooms needed to accommodate student growth and to relieve overcrowded classrooms. Calling it an investment in the future of California's schoolchildren, Prop. 55 is supported by a long list of business, education and local legislative leaders, including the California Taxpayers' Association, California Chamber of Commerce, California Business Roundtable and the California PTA (Parent Teacher Association). The taxpayers group believes the ballot measure contains plenty of fiscal accountability to avoid waste and mismanagement. Business leaders say the measure is essential to provide new jobs and ensure that California's future workforce is educated in safe, clean and uncrowded classrooms.

Arguments Against: The California Taxpayer Protection Committee calls the ballot measure ill-conceived and poorly timed, given the state's current fiscal crisis. According to state Sen. Rico Oller (R-San Andreas), one of the measure's leading opponents, the state could save $12 billion in interest alone by paying for a select number of school construction projects each year out of the general fund, rather than borrowing the money and accumulating more state debt. Prop. 55 will only "dig us deeper into a financial hole," Oller says, and will guarantee that taxpayers will be paying higher taxes for years just to pay off the bond costs. In addition, because the measure requires school districts to come up with matching funds, Oller contends it will only help wealthier school districts that can afford to pick up half the tab of school construction costs. He urges voters to demand that the Legislature make school construction a priority and fund it with a more "fiscally responsible approach."

Proposition 56

An constitutional amendment to lower the threshold for passing a state budget from a two-thirds vote to a 55 percent majority.

Background: (see story, page 36)

Proposal: Prop. 56 amends Article IV, Section 12 of the state Constitution to allow the Legislature to pass a budget with a 55 percent majority. The same voting threshold would apply to tax- and budget-related appropriation bills. It also requires that lawmakers and the governor permanently forfeit salary and per diem expense money for every day the budget is late, starting June 15 of each year. It further requires that the Legislature stay in session until a budget is passed, that lawmakers' voting records on the budget and tax-related bills be published, and that 25 percent of certain state revenues be deposited in a reserve fund, which cannot be used to increase state spending.

Arguments for: Proponents, including the presidents of three major interest groups — the state PTA, California AARP and California Professional Firefighters — argue that budgets are chronically late because lawmakers face no consequences for delaying them, and Prop. 56 will make legislators responsible for their actions. They insist Prop. 56 will end late budgets by denying legislators' pay and keeping them in session until a budget is passed. They also blame the two-thirds vote for partisan gridlock, which Prop. 56's new 55 percent threshold will end. Finally, they note that the "rainy day fund" will avoid future deficits and help reduce overall spending.

Arguments against: The California Taxpayers' Association and state Chamber of Commerce warn that Prop. 56 will result in higher taxes because it provides lawmakers with a blank check for future increases. They argue that the current two-thirds vote protects against unjustified tax hikes by potentially eliminating the need for bipartisan cooperation. Although some of the reforms are noteworthy, opponents warn, they merely sugar-coat the measure's real aim — elimination of the two-thirds vote.

Proposition 57

A $15 billion bond measure to finance government operations

Background: Fearing the political heat from new taxes, Gov. Arnold Schwarzenegger, his predecessor Gray Davis and the Legislature have been creative. They devised budgets with a Byzantine labyrinth of cuts, deferred payments, shifts of money from one pocket to another, dubious revenue estimates and bloated expectations of federal funds. They aren't alone, of course: Earlier governors and lawmakers employed similar legerdemain. Former Gov. Pete Wilson filled a $25 billion budget hole in 1991-93 and wrote the crisis-response playbook followed in part by Davis and Schwarzenegger. Last summer, Davis signed the 2003-04, credit-card-style budget that depended on $10.7 billion borrowed through a Wall Street bond sale. That scheme came under legal attack by the Pacific Legal Foundation, which contended that the $10.7 billion bond sale required voter approval. Schwarzenegger, too, likes borrowing but vowed during the recall campaign to shun tax hikes. His answer: A $15 billion borrowing for voters to approve on March 2, thus circumventing the legal tangle. The measure, placed on the ballot by the Legislature, is joined at the hip to Prop. 58, which sets up an emergency reserve starting in 2006 and requires budgets to be balanced. If one fails, neither takes effect. A mid-January poll by the Public Policy Institute of California showed the balanced-budget amendment (Prop. 58) favored heavily, 57 to 22 percent. Not so Prop. 57, which faces tough sledding: Only a third of those surveyed said they would vote for it.

Proposal: Prop. 57 would allow the state to sell up to $15 billion in bonds and use the money to pay off old debts. It replaces an earlier bond proposal and also takes up to triple the time to pay it back: The previous bond of $10.7 billion — which the Legislature's fiscal expert, Elizabeth Hill, later dropped to $9.2 billion as the economy improved and the deficit shrank — never went to market because of the court challenge. Those bonds would have been paid back in five years. The Schwarzenegger bonds would be retired in nine to 14 years. That range depends on how much money flows from the emergency fund set up by Prop. 58, which requires at least half of the reserve to pay off the bonds.

Arguments for: Schwarzenegger and two anti-tax groups — the California Chamber of Commerce and the California Taxpayers' Association — say Prop. 57 will give the state enough money to stabilize its finances without resorting to taxes. They note that an improving economy — tax receipts already are on the rise — would allow the bonds to be retired sooner, and that the $15 billion meets the legal smell test. Failure to approve Prop. 57 would leave the state on the hook for billions of dollars of debt that become due in June. Without Prop. 57, and with the legal fate of the earlier bonds a question mark, the state would have to make Draconian cuts to balance the books. Unmentioned is that politicians who cut deeply are likely to feel the voters' wrath in the fall election.

Arguments against: Sen. Tom McClintock (R-Thousand Oaks), who Schwarzenegger defeated in the Oct. 7 recall election, and state Sen. Bill Morrow (R-Oceanside) say the bond is too much for too long, and that billions of dollars in debt service will have to be covered with new taxes — despite the proponents' claims. McClintock, a perennial critic of the state's budget, has long contended that an across-the-board budget cut of 13.4 percent would cure the entire deficit in 18 months, which he calls the "simple math of state finances." As in Prop. 58, the bond measure does not contain language to limit future spending, which raises the specter of unlimited future borrowing. In harsh economic times, the amount diverted to the bond payoff declines, thus lengthening the state's debt burden to up to 14 years.

Proposition 58

The California Balanced Budget Act

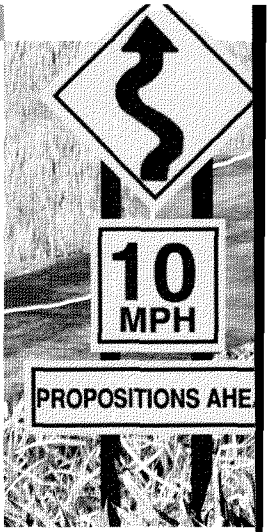
Background: California roared back from its recession of the early 1990s and by mid-decade, the economy started to firm up: Silicon Valley boomed, property values soared, unemployment eased. Income tax receipts ballooned, fed by Wall Street profits and stock options for high-tech executives. By 2000, they amounted to nearly $18 billion, a fourth of the state's General Fund. But the bubble burst. Two years later, those same taxes on capital gains provided less than a dime of every dollar collected. Stock options alone had provided nearly 10 percent of the General Fund. By 2002, the share had dropped to 3.5 percent. In 2001-02, revenues plunged $12 billion below expectations, but spending continued apace.

JOB ANNOUNCEMENT: EXECUTIVE DIRECTOR
CAMPAIGN FOR COLLEGE OPPORTUNITY

The Campaign for College Opportunity is devoted to assuring a quality college education for every Californian, consistent with the Master Plan of California. The Campaign is a start-up non-profit founded by three organizations: the Mexican American Legal Defense and Educational Fund, the California Business Roundtable and the Community College League of California. The position of executive director carries the opportunity to:

- Build a major force in state policy making for college opportunity.
- Potentially have a direct and significant impact on the lives of millions of Californians.
- Serve as the lead public spokesperson for the Campaign.
- Oversee a comprehensive public information effort.

For more information and a complete job description, please contact
Ms. Renu Karir, Search Consultant at: renukarir@yahoo.com



The Legislature rejected tax increases despite back-to-back budget deficits that totaled an astronomical $62 billion — more than double the level in raw dollars of the recession of 1991-93. As the state's hole deepened, there were demands — most vehemently from Republicans — to balance the budget, limit spending year-to-year and stop the fiscal roller coaster ride.

Proposal: Prop. 58 requires the state budget, as signed by the governor, to be balanced. That means revenues — mostly from income, sales, corporation and insurance taxes — must be at least equal to the amount the state spends. Currently, the governor's annual budget plan must be balanced when presented in January, but there is no rule that the final budget must be balanced — the document signed months later for the new fiscal year starting July 1. Prop. 58 also allows the governor to formally declare a fiscal emergency and force lawmakers to come to Sacramento to deal with the red ink. If the Legislature doesn't act within 45 days, lawmakers would be barred from leaving town or considering other bills until the budget legislation is voted upon, up or down. Beginning in 2006-07, Prop. 58 requires money to be set aside each year for emergencies. The first transfer would be 1 percent of the General Fund, roughly $850 million. The second transfer in 2007-08 would be 2 percent, or about $1.8 billion, and the third would be 3 percent in 2008-09 and thereafter, until $8 billion is accumulated. That money would cover debts and replenish the General Fund.

Arguments for: Republican Gov. Arnold Schwarzenegger and former Democratic Assm. Spkr. Herb Wesson say the state should be forced to live within its means and that specific funds should be set aside for emergencies to curb future boom-bust cycles. Prop. 58 would force the creation of a fixed emergency reserve, boost the governor's budget authority and discourage excessive spending. Prop. 58, as its adherents are quick to note, is very much a bipartisan compromise — 115 of California's 120 legislators voted to put it on the ballot, including all 80 members of the Assembly. The final version approved by the Legislature removed language that would have vastly expanded the power of the governor, allowing his emergency budget legislation to automatically become law if lawmakers dither. Also removed were specific spending limits, which opponents said would cut deeply into school funding over time.

Arguments against: The complaints about Prop. 58 focus not on what it does, but what it doesn't do. It balances revenues and spending, but there is no ban on borrowing from special funds or shifting money from one pocket to another. Anti-tax advocates — such as Richard Rider of San Diego Tax Fighters and Bruce Henderson, president of the Association of Concerned Taxpayers — complain that Prop. 58 would lead to smoke-and-mirrors budgeting because the state could borrow excessively, then simply ratchet up spending to match the infusion of borrowed money. The state, even in good years, engages in short-term borrowing to cover cash-flow problems created by the uneven flow of income tax receipts. Prop. 58 would make that problem worse, critics argue. Moreover, the compromise between the Republican governor and the Democrat-ruled Legislature that led to Proposition 58 weakened the final result by removing the spending limits. The measure had been touted as the justification for voting for the accompanying $15 billion deficit-financing bond on the same ballot, Proposition 57. But critics say the lack of spending limits in Proposition 58 amounts to false advertising, and that borrowing $15 billion without curbing spending is unwise.

Email your comments to **comments@californiajournal.com**

Higher education dreams denied?
What will happen to the 175,000 students?

This fall, 175,000 students could not enroll in community colleges. A state report found that reduced course sections from budget cuts and fee increases triggered a student exodus of historic proportions.

Now, state leaders must make a choice. Will the 175,000 students be denied access to their higher education dream?

Community colleges have been the way California works for families, communities, and the state's economy for nearly 100 years. Let's reopen the doors and allow California's dreams to be realized.

California Community Colleges
Keeping the doors open since 1910.

A message from the Community College League of California.

THE SCHWARZENEGGER BUDGET

Creative and mundane, innovative and predictable, breathtaking and pinched — the new governor's much-anticipated spending plan relies heavily on a bond proposal which voters may, or may not, approve.

By John Howard

No mere balance sheet, but a stew of money, hope and politics — that's California's budget.

It's also a moving target: What a governor unveils in January rarely resembles the budget he signs into law months later, after both houses of the Legislature chew it up and spit it back out — sometimes in the governor's face.

Governor Arnold Schwarzenegger's premier foray into budget writing, the $99 billion 2004-05 spending plan unveiled on January 9, is at once creative and mundane, innovative and predictable, breathtaking and pinched. To Democrats, it's the Capitol version of Schwarzenegger's "True Lies" — good effects, lousy script. To Republicans, it's better than five years of Democratic budgets. To Legislative Analyst Elizabeth Hill, it's a good start, but it fails to deal with an enduring, $6 billion red-ink stain.

It is also very, very risky.

It marks the first time that California voters will be asked, in effect, to write their own state budget. The entire spending plan rests on their whim. They will decide next month whether to borrow $15 billion and require future balanced budgets (see analyses of Propositions 57 and 58, page 42). Schwarzenegger has his fingers crossed; so do Democratic leaders.

What if voters turn thumbs down on what the governor calls a "workout plan"?

"It will be disastrous," Schwarzenegger says, "and that's why I always remind people to make sure to vote 'yes' on that recovery bond so we do not have to make those drastic cuts. ... I call them the Armageddon cuts — cuts in services that we don't want to make. It will be devastating."

Since he has promised, repeatedly, not to raise taxes, there is little doubt that those cuts are a real option, although he declined to provide details.

California's political leaders, Democrat and Republican, have long struggled to keep incoming and outgoing funds in sync. Since 1976, California has batted about .500 on spending less than it takes in. Fourteen of 28 enacted budgets spent more than the state received in tax receipts, 13 spent less and one, 1992-93, spent the same. According to Schwarzenegger's Department of Finance, one of the most prudent budgets — at least on paper — was former Governor Jerry Brown's 1977-78 effort, which spent only 85 cents of every revenue dollar. But Brown also had the worst, in 1980-81, which spent $1.11 for every $1 in the door. Former governor Gray Davis almost equaled that record in 2002-03, spending $1.10 per $1.

Davis and Brown also share honors for the highest year-to-year spending increases. Davis' 2000-01 budget spent 17.4 percent more than the previous year,

"My son depends on his services, and there is no one else but me. I had to quit my job – how am I to live? How is my son going to live?"
— a mother describing her son, who has severe developmental disabilities

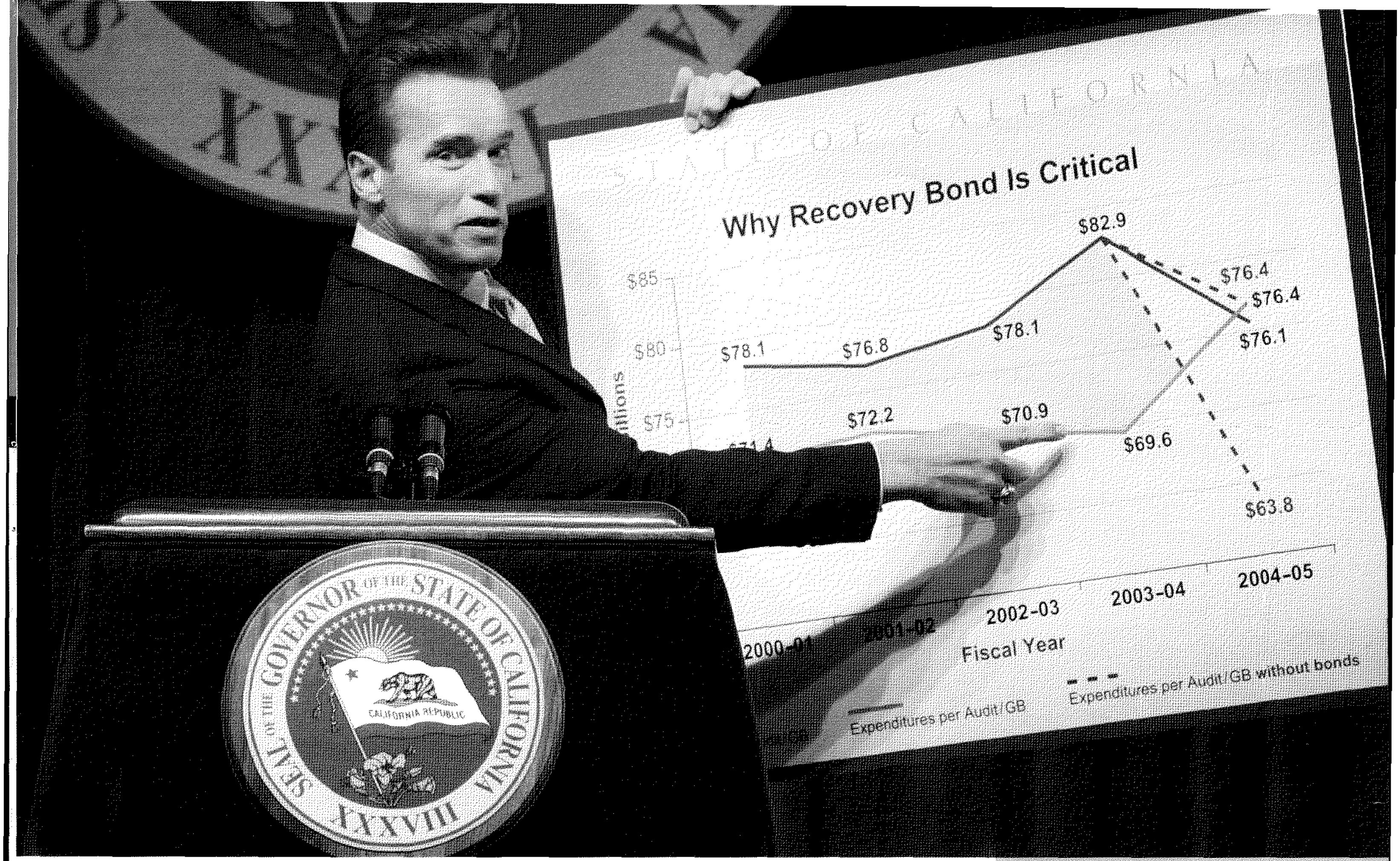
"Our ability to solve the state's problems requires us to do things we haven't done in the past: more research, more qualified staff."
— Assm. Spkr.-elect Fabian Nunez, explaining to *The Sacramento Bee* why the Legislature's operating budget should not suffer cuts

"I don't see any hope and aspiration there ... I see despair there. I see a state that is turning its back on the most vulnerable in our society in order to pay for a tax cut."
— Sen. Pres. pro Tem. John Burton (D-San Francisco)

"The choices we are being asked to make will have a big impact on the lives of real people, but are necessary to move California forward."
— Assm. Doug LaMalfa (R-Richvale)

"The proposal has several positive attributes ... as well as real and ongoing solutions from most areas of the budget. As such, we believe that it provides a solid starting point for budget deliberations."
— Legislative Analyst's Office, Overview of the Budget

"It will be uncomfortable for everyone but I am hopeful that working together we can come up with a final solution that truly fixes our problem with overspending while maintaining necessary services."
— Assm. Rick Keene (R-Chico), vice-chair of the Assembly Budget Committee



Governor Arnold Schwarzenegger explaining his 2004-05 budget. Photo: Kimberly White, Reuters, 1/9/04.

second only to Brown's 38.9 percent in 1978-79, a figure that reflected voter approval in June 1978 of Proposition 13.

In March, voters will consider borrowing $15 billion to pay off at least $9.2 billion in accumulated debt from the 2002-03 budget, provide $3 billion for Schwarzenegger's new budget, protect the state's pension fund obligations, partly cover losses from Schwarzenegger's decision to repeal tripling of vehicle license fees and give the state some elbow room in future budgets.

In the budget, public schools were left largely intact through an agreement Schwarzenegger reached with teachers and school administrators. But others weren't so fortunate: Enrollment limits were proposed in the Healthy Families health-care program, college fees were upped and local property taxes were raided.

The bonds would provide an immediate $3 billion in proceeds and refinanced debt service. Combined with other borrowing, shifts of money from transportation and other funds, deferred payments, cuts and fee increases, Schwarzenegger hopes to cover a $14.4 billion shortage for the new fiscal year beginning July 1. Health and social services take the biggest single hit — about $2.7 billion.

There are pitfalls.

One stems from an earlier plan to float $1.9 billion in Legislature-approved bonds to cover the state's contribution to public pension funds in the 2003-04 budget. The courts balked, saying the bonds required voter approval. Schwarzenegger's budget also includes a $1 billion pension bond but it, too, may face a similar legal challenge.

Democrats went along with Schwarzenegger's proposals to place a $15 billion bond and a balanced-budget amendment before voters. But that cooperative spirit already is unraveling. Senate President pro Tem John Burton (D-San Francisco), the most powerful figure in the Capitol after the governor, opposes the governor's social service cuts. Assembly leaders say they won't capitulate to the popular governor, who has translated his star power into political power.

"The governor's budget ... encourages job creation, which will ultimately result in more revenue ... so we can provide needed services. What it doesn't do is penalize hard-working families and job creation by raising taxes."
— Sen. GOP Leader Jim Brulte (R-Rancho Cucamonga)

"If the Republicans spend the next six to nine months arguing to close down schools and kick kids out of wheelchairs, they are going to be in trouble."
— Bob Mulholland, Democratic Party strategist, as quoted in the *San Francisco Chronicle*

"The governor has laid out a blueprint to restore opportunity. These are difficult times, and a budget that makes difficult choices is the right thing to do."
— Assm. GOP Leader Kevin McCarthy (R-Bakersfield)

"We need to make sure that priority programs like the Coastal Commission and the Dept. of Fish and Game are not disproportionately attacked, as they were last year by some misguided legislators."
— Ann Notthoff, National Resources Defense Council

"This loss of local revenue will be particularly serious for [water agency] customers who are already dealing with the added costs associated with new ... regulations and ... security mandates."
— Steve Hall, executive director of ACWA, referring to the diversion of $1.3 billion in property taxes from local governments

"A cap on enrollment of these programs may increase revenue to the state's General Fund ... but it will leave hundreds of thousands of California's adults and children without access to essential health care..."
— U.S. Sen. Dianne Feinstein, referring to budget cuts to Healthy Families and Medi-Cal programs

"We urge the governor ... to throw his support behind reasonable proposals to protect children, seniors and people with disabilities, such as restoring top tax brackets on the wealthiest Californians and raising the cigarette tax..."
— J.J. Jelincic, president of the California State Employees Assn.

"This budget takes a hard look at every state agency, department and program, eliminates waste and duplication and calls for the selling off of buildings and properties the state isn't using."
— State Sen. Jeff Denham (R-Merced)

Two-thirds of those surveyed in a January 15 poll released by the Public Policy Institute and The James Irvine Foundation are either opposed to or undecided about the bonds, even though better than six out of 10 voters like the way Schwarzenegger is doing his job.

"Popularity does not necessarily translate into influence. Voters have to like the message, not just the messenger. Given the bitter residue of this past year's financial fiasco, they are understandably wary about incurring more debt," wrote PPIC pollster Mark Baldassare.

Ballot-box budgeting by a governor has a dubious track record. One well-known example is former Governor Pete Wilson's attempt to reduce welfare loads and expand the power of the governor, which was roundly rejected by voters as Proposition 165 in November 1992. California voters have approved multibillion-dollar bonds, but those were for specific programs, such as education, transportation and water.

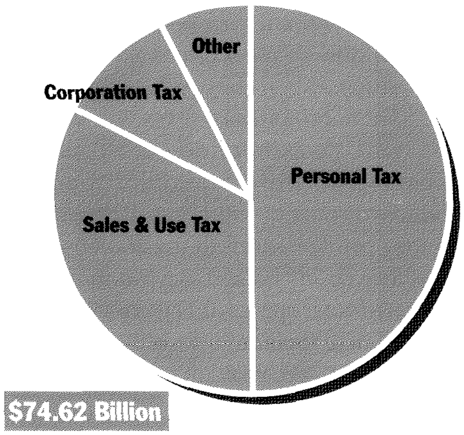
Like most budgets, Schwarzenegger's is couched in rhetorical excess and blames problems on his predecessor. On introducing his budget, Schwarzenegger excoriated Davis for using "tricks and gimmicks" to balance the books — an allegation that few, including Davis, would bother to deny. Then Schwarzenegger proceeded to use those same tricks — borrowing, shuffling money, cutting services to the poor, eliminating transportation programs, tapping local government funds, hiking fees on college students, reducing funding guarantees to schools and community colleges and raising park fees.

Schwarzenegger, like Davis and Wilson before him, also is betting that California's economy will rebound. So far, he's being proven right. Sickly revenues are recuperating, and through November were running about $1 billion above expectations. Overall, the improving economy is likely to cut $2 billion off the state's deficit. For Schwarzenegger, the timing couldn't be better. Incumbent politicians are credited with a strong economy and blamed for a weak one, even though they have little to do with either.

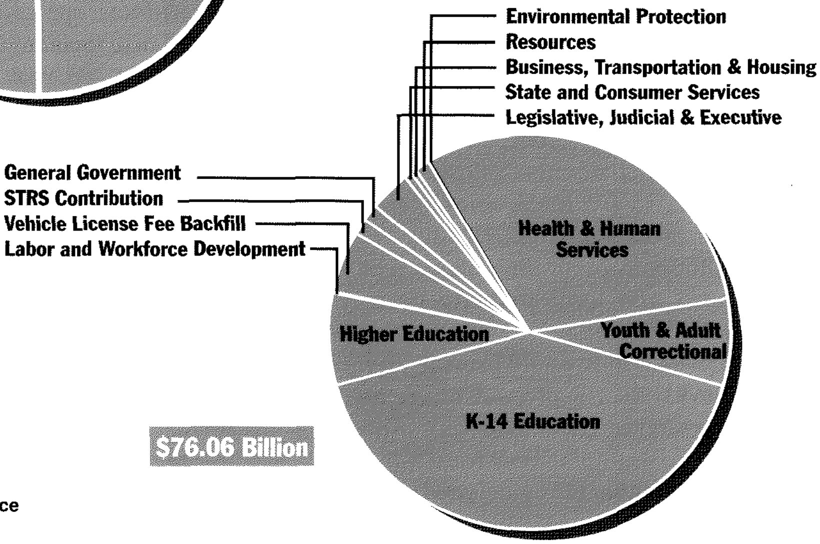
Absent tax increases, the annual budget battle seems remote to most Californians. But 2004 is different. Among the pocketbook-pinching proposals:

- Undergraduates at California State University and the University of California would pay 10 percent more per semester. For graduate students at both

Revenues



Expenditures



Source: Dept. of Finance

institutions, the increase is 40 percent.

- Some $100 million would be cut from centers serving the disabled.
- Doctors who provide services in the MediCal program would have their reimbursements cut 10 percent, on top of a 5 percent cut already approved.
- The state corrections budget would be cut by about 9 percent — some $438 million – and it would be left up to corrections officials where to make those cuts.
- The funds shifted from local governments, about $1.3 billion in property taxes, would force the locals to raise taxes or make cuts if they aren't made whole as the governor has promised. Most of that money goes to police and fire protection.
- State park fees will rise sharply on July 1. Family day-use would rise from $5 to $14, family camping would rise from $13 to $25 per night, and Hearst Castle tours would increase from $12 to $25 per adult. Annual park passes will cost $125, instead of the current $67.
- The children of welfare parents who violate welfare-to-work rules would see their benefits cut 25 percent.

Schwarzenegger, aware that his budget blueprint contains real pain, makes few apologies.

"And as I've said earlier, and I've said over and over again, we have to tip down the spending. We cannot continue with the spending," he said.

John Howard is senior editor of California Journal. *Comments may be sent to* comments@californiajournal.com

"This budget agreement protects our schools from any dangerous midyear cuts this school year [and] protects the integrity of Prop. 98. ... It is a good and fair agreement in the context of the state's fiscal crisis."

— Barbara Kerr, president of the California Teachers' Assn., referring to an agreement between the governor and education groups on budget funding for 2004-05

"It doesn't serve the people of California to seriously underfund local governments."

— Assm. Jenny Oropeza (D-Carson), chair of the Assembly Budget Committee

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Delivered at the State of State, January 6, 2004

Cruz Bustamante's shot across the governor's bow

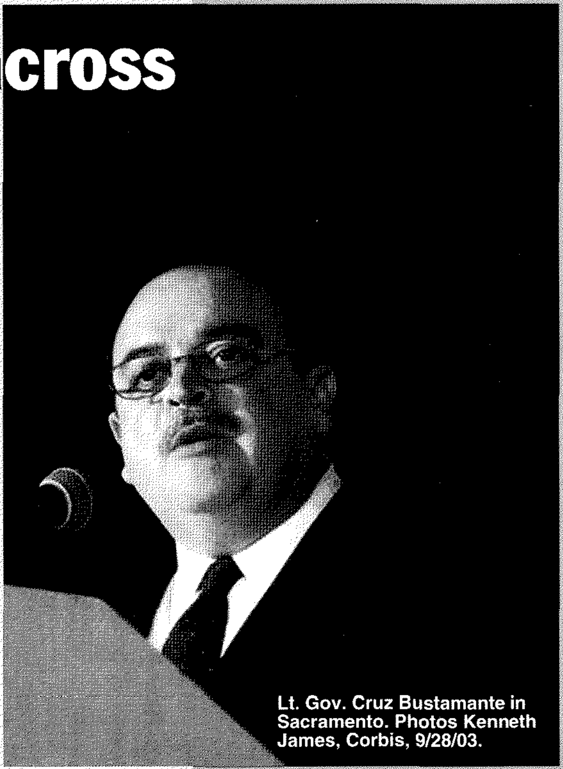
"The State of the State address is traditionally a statement of hope for the people we serve and a statement of leadership to the Legislature. These two messages are especially important during these tough times. Californians want us to restore our state's economic stability, and they expect this to be done with responsible leadership.

Governor, we understand that you have inherited this economic situation. But you were elected with the hope that you would bring fresh ideas and new ways of looking at the problems.

As public officials, our decisions can fundamentally change people's lives. We must not allow the sterile language of the budget to numb us to the human suffering that will follow our actions.

An analysis by the California Budget Project shows that:

- When we say "freezing enrollment," what that sterile term really means is that 136,000 children will not receive even minimum health care.
- When we eliminate a "residual program," that means 74,000 elderly, blind and disabled will no longer receive in-home care.
- When we terminate a "transitional program," 66,000 families will face hunger every day.



Lt. Gov. Cruz Bustamante in Sacramento. Photos Kenneth James, Corbis, 9/28/03.

Yes, we have to cut waste and fraud in government. There are no easy fixes. But in addition to program cuts, closing just one loophole or increasing the tobacco tax, would minimize the harm caused by eliminating important health or education programs.

Our true character is determined by our actions during difficult times, not during good times, and not by what we provide to those who have something but what we provide to those who have nothing.

Governor, we're all prepared to work with you in a bipartisan fashion. The people are anxious for leadership with a vision to guide this state. May God bless the people of this great state and you as California's leader."

Thank you, Gov. Schwarzenegger, for giving us a budget that will help our colleges begin to restore needed classes and services..."

— Mark Drummond, chancellor of the California Community Colleges

Forgive and forget?

by Dana Wilkie

When he stood before Californians last month to present his first state spending plan, Gov. Arnold Schwarzenegger slammed former Gov. Gray Davis for making "a mess" of the state budget by "using tricks and gimmicks to put off the hard decisions" of governing. And he vowed he would be the guy to clean things up.

Whatever the merits of Schwarzenegger's criticism, the Republican governor may face similar complaints with his bold — some would say outlandish — proposal that Washington forgive hundreds of millions of dollars in penalties the state has accumulated for failing to follow federal rules that came with federal money.

> "In the past, the state has had spotty success when seeking relief from federal sanctions."
>
> — Jean Ross

Schwarzenegger estimates that California has incurred $560 million in penalties, and faces as much as $670 million more "in the near term." Calling these penalties "overly burdensome," his budget summary says they "cannot be justified, especially given the severe condition of the state's general fund." Perhaps the most substantial penalty outlined in the governor's budget was the one Washington slapped on California for failing to get a computerized child-support system up and running. This fiasco started seven years ago when it was learned that the state's $75.6 million computer system for hunting down deadbeat dads was so riddled with problems that it had to be suspended.

The federal Family Support Act of 1988 required all states to automate their child support collection systems. California's computer system was critical to then-Gov. Pete Wilson's welfare-reform plan, which withheld public assistance from women until authorities identified the fathers of their children.

This year alone, California owes Washington $195 million in penalties for failing to get the system working in most of the state's counties. In the coming fiscal year, it will owe $220 million. Already, the state has sent Washington $562 million in fines. Washington also requires that the state have a computerized database to manage child welfare cases. But because California's database failed to comply with 14 out of 87 federal requirements, the state could lose $18.2 million in federal money this year, and another $17.4 million in 2004-05.

Moreover, when Washington last year took a close look at California's child welfare services program, it discovered that the state failed 12 out of 14 federal measures. The state drew up an improvement plan. But California is still, in essence, on probation: If it fails to reach its new goals in a timely manner, it will owe Washington $18.1 million for the first year the state is out of compliance, $49 million the second year, and $73.9 million the third year.

There's more: Because the state's counties in 2001 and 2002 made so many errors when deciding who got food stamps — resulting in food stamp distributions far above the national average — the state owes Washington $17.7 million in fines. Schwarzenegger argues that because California has trimmed its error rate by more than half — from 17.4 percent in 2001 to 6.6 percent in 2003 — the fine should be eliminated, or at the very least reduced.

Finally, the state in the coming year must spend $8.2 million to send information on mental health programs to 3.2 million Medi-Cal participants. Schwarzenegger wants out of this federal requirement, too.

In the past, the state has had spotty success when seeking relief from federal sanctions, said Jean Ross, executive director of the California Budget Project, a research group that focuses on policies affecting low- and middle-income people. Washington seems more inclined to give states extra time to make remedies before incurring future fines, she said, than to scratch out fines already imposed.

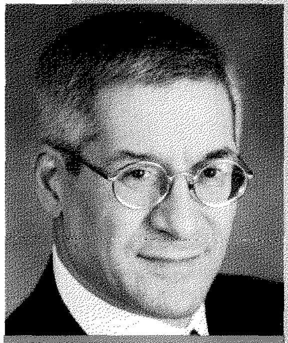
No doubt, Schwarzenegger will blame his predecessors for incurring these penalties. He will argue that California is working hard to rectify its past transgressions. He may even hint that in its current fiscal predicament, California deserves a federal break — especially from a president of the same party who wants to be competitive in California this election year.

How successful Schwarzenegger is remains to be seen. No matter how badly President Bush wants to do well in the Golden State, it doesn't seem likely he'll force other states to pay their penalties while giving California a "get out of jail free" card. And it seems optimistic to premise that hard-boiled Washington administrators will feel sympathy for a state that is just one of many struggling this year with a budget mess.

Dana Wilkie is a Washington, D.C., correspondent for Copley News Service. Comments on this article may be sent to **comments@californiajournal.com**

Administration:

Governor pumps up his roster ....

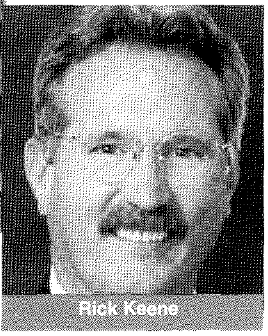

Daniel Kolkey

Gov. Arnold Schwarzenegger announced another round of appointments in January, including **Daniel Kolkey** as lead negotiator for tribal gaming compacts. Kolkey, a former appeals court associate justice, negotiated the first tribal-state gaming compacts while serving as legal affairs secretary to former Gov. Pete Wilson in the late 1990s. ... The governor also appointed **Ronald L. Iden**, a Federal Bureau of Investigation (FBI) counterterrorism expert, as director of the Office of Homeland Security. Iden has served 25 years with the FBI, most recently as assistant director of the Los Angeles field office. ... **Charles "Chuck" D. Ahlem**, a Central Valley rancher and owner of the Hilmar Cheese Company, was named undersecretary of the state Department of Food and Agriculture. Ahlem also has served on the state Food and Agriculture Board and the Central Valley Regional Water Quality Control Board.

Legislature

Kevin McCarthy, the Assembly's new GOP leader, announced his leadership team for 2004: Assm. **Russ Bogh** (R-Cherry Valley), Republican Caucus Chair; Assm. **Rick Keene** (R-Chico), Budget Committee Vice-Chair; Assm. **Sharon Runner** (R-Antelope Valley), Appropriations Committee Vice-Chair; Assm. **Ray Haynes** (R-Riverside), Asst. Republican Leader; and Assm. **Dave Cogdill** (R-Modesto), Rules Committee Vice-Chair. McCarthy also named the following Assembly members as GOP Whips: **Greg Aghazarian** (R-Stockton), **John Benoit** (R-Palm Desert), **Doug LaMalfa** (R-Richvale), **George Plescia** (R-San Diego), **Todd Spitzer** (R-Orange) and **Mark Wyland** (R-Del Mar). ... State Senator **Jack Scott** (D-Altadena) was named Legislator of the Year by the California County Superintendents Education Services Association (CCSESA) for his budget work chairing the Senate Budget Subcommittee on Education. ... **Assm. Joe Canciamilla** (D-Pittsburg) received the 2003 President's Award from the Association of California Water Agencies for his contributions to water policy.

Russ Bogh


Rick Keene

Government

Donald Moulds, a workers comp and health care reform consultant to Senate Pres. pro Tem **John Burton**, has been named director of the Senate Office of Research, replacing former director **Elizabeth Kersten**, who recently retired after 20 years. ... Atty. Gen. **Bill Lockyer** has appointed **Richard Frank** as chief deputy attorney general for legal affairs. Frank most recently served as chief assistant of the public rights division. ... Assm. **Jenny Oropeza** (D-Long Beach) has hired as chief of staff **Toni Symonds**, who chaired the California Rural Policy Task Force and was director of the Community Vitalization Unit under former Gov. Gray Davis. ... The State Teachers' Retirement System Board (CalSTRS) recently elected three board members in its first election allowing pension members to vote on board seats. The three, all members of the California Teachers Assn.(CTA), are: **Dana Dillon**, **Gary Lynes** and **Carolyn Widener**. Both Lynes and Widener are incumbents.

Other

The California Chamber of Commerce has named **Michele Zschau** as vice president of public affairs and promoted **Dominic DiMare** to vice president, government relations. DiMare has been a chamber lobbyist since 2000. Zschau, a political affairs manager for former state Sen. **Tom Campbell**, more recently was a global development consultant. Fred Main, the Chamber's former top lawyer and public policy expert, has joined the Sacramento office of Manatt, Phelps & Phillips, a prominent law/consulting firm. ... **Deborah Caplan**, an expert in political/government law who recently helped prepare arguments on campaign finance reform before the U.S. Supreme Court, has been named a partner of Olson, Hagel & Fishburn, one of California's prominent political law firms and legal counsel to the state Democratic Party. The firm also hired two new associates, **Rob McWhorter** and **Erin V. Peth**.

RADICAL REFLEC

Eddie Wright has worked in the state Capitol for a decade, shining shoes just inside the south entrance. It is a routine vastly different from his first visit to the building 36 years ago, when he supported a shotgun-toting group of Black Panthers led by Bobby Seale. By Laura-Lynne Powell

From his shoeshine stand inside the Capitol's south lawn entrance where he has polished shoes for 10 years, Eddie Wright is not far from where he walked on his momentous, indeed infamous, first visit to the Capitol. He was 19, the year was 1967, and Eddie Wright was not alone. He was there to support 29 members of the Black Panthers whose shotgun-toting march through the Capitol brought panic to the Assembly chamber and catapulted the band of angry young African Americans to national prominence.

"I was right there," he says with a chuckle. "Bobby Seale was there. Eldridge Cleaver, I think, was there. Huey Newton wasn't. They were wearing black leather jackets and shades, and some of them had shotguns, a couple of them were sawed off." He shakes his head at the 36-year-old memory.

Eddie Wright shining Bob Black's shoes at his post at the south entrance of the Capitol. Photo: Steve Yeater, 2/04.

"I never in a million years thought then that I'd be here doing this now." His smile lingers as he returns his attention to the pair of black Bandolino women's boots he is polishing. "Never in a million years."

Wright, 55, was not himself one of the leather-jacketed band. He says he was a supporter of the Panthers back in Oakland (and later became a member) and had driven one of its armed members to the Capitol for the protest that day. He didn't enter the building with Bobby Seale, saying he didn't want to get arrested. Instead, "I went to the rose garden and looked around" and waited to see what would happen.

Still, he believed in their angry message. So it's a stretch to imagine the young Oakland radical evolving into such a welcoming fixture inside the very building that stood as a symbol of the status quo power he once hated so much.

But that's how it is.

Wright figures he greets and gives directions to at least 100 people a day, a consequence of the heavy traffic that passes his concession stand behind the CHP metal detector inside the south lawn doors. He uses friendly pressure to coax customers into his shoeshine chair but rarely are they disappointed. Recently a staffer for Assembly Republican Leader Dave Cox (R-Fair Oaks) stopped by on his way to see his boss. His scuffed shoes shined up so well under Wright's fast-moving hands that the staffer suddenly realized he was wearing shoes from two different pairs.

Wright also is host to arguably the most relaxed gathering place for power brokers in the building.

Steve Larson, chief deputy of the Department of Finance until his retirement three months ago, says he has sat in Wright's raised wooden bench for a shoeshine "at least 100 times."

"This chair is a rest for the people who work here," Larson says. "You see people you know,

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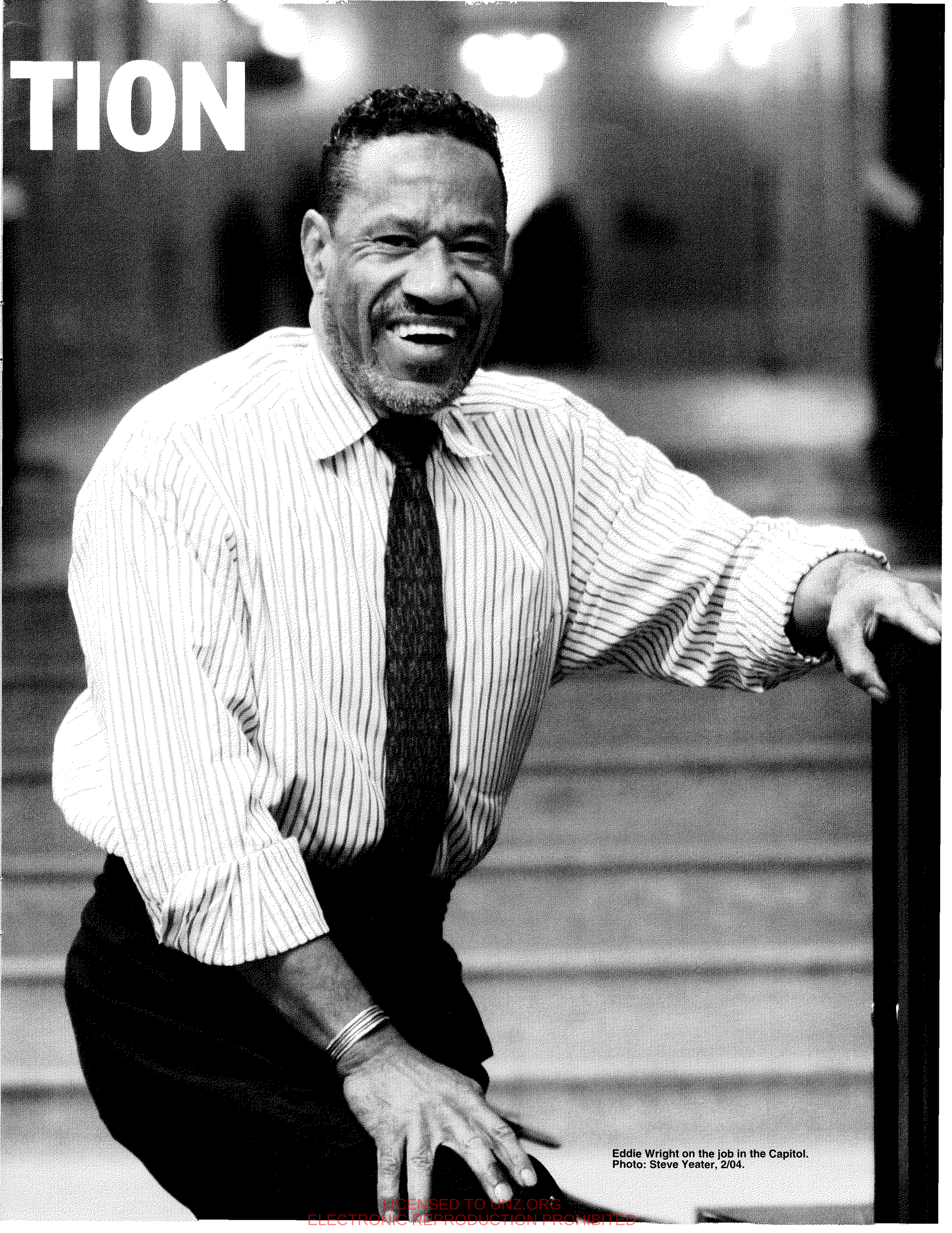
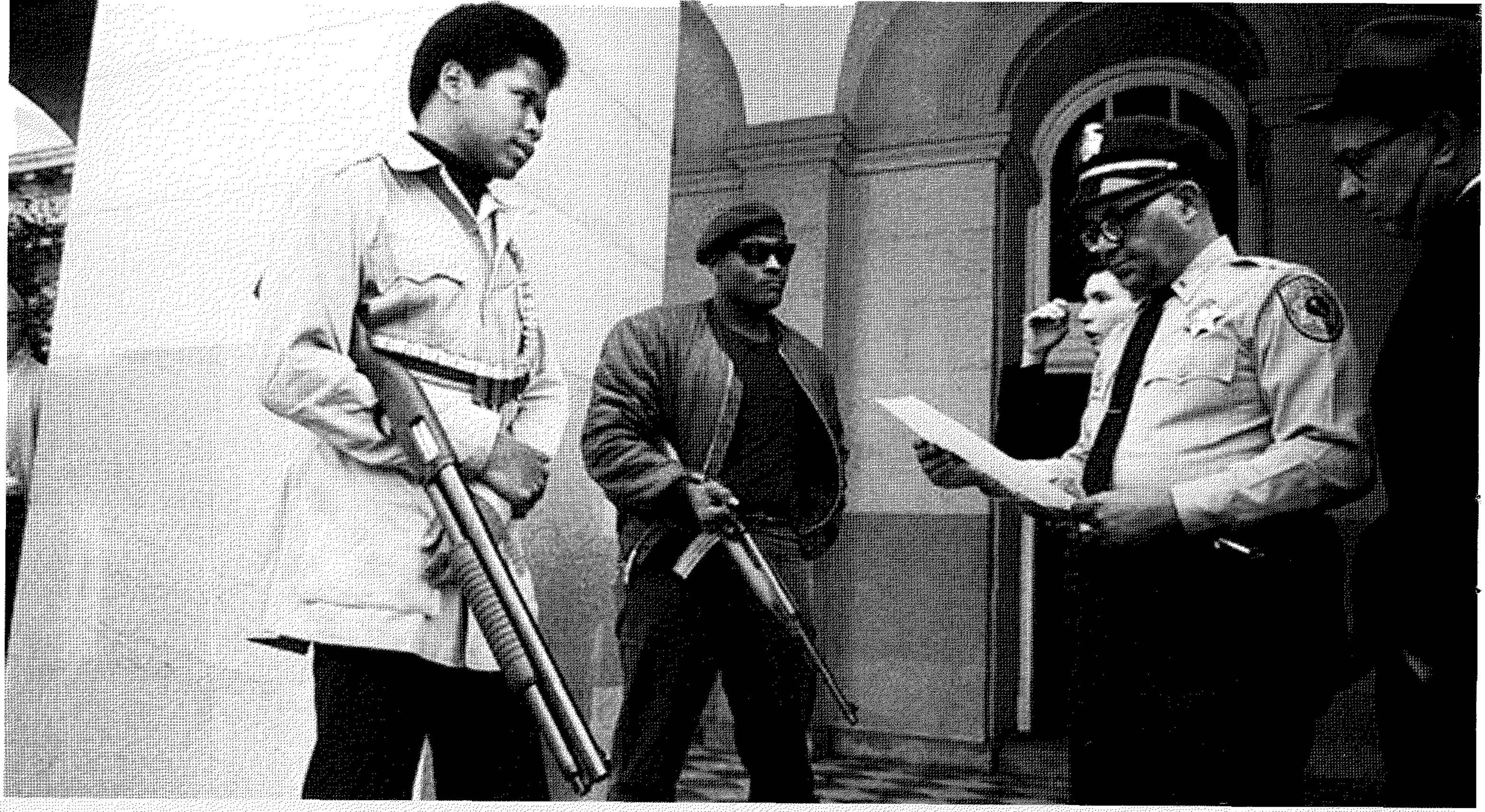


Eddie Wright on the job in the Capitol.
Photo: Steve Yeater, 2/04.



Two Black Panthers are met on the steps of the Capitol by Sacramento Police Lt. Ernest Holloway who informs them they will be allowed to keep their weapons as long as they cause no trouble and do not disturb the peace. Earlier, several members had invaded the Assembly chambers and their guns were confiscated. Photo: Bettman/Corbis, 5/2/67.

you chat, you pick up a lot about what's going on." On Larson's first visit to the Capitol since retirement,s he stopped at Wright's concession stand for a shoeshine. "I can't imagine the Capitol operating without it," he says.

Wright says he's polished the shoes of governors Pete Wilson, Gray Davis and Arnold Schwarzenegger. He recalls that when Davis was lieutenant governor, he used to walk inside the south entrance, step out of his shoes and hand them to Wright. Then, in only his socks, he'd pad down the corridor to his office. After he became governor, a staff member would deliver Davis' shoes to Wright and pick them up when Wright was done.

Schwarzenegger was a repeat customer during the 2002 campaign for Proposition 49, his after-school initiative. Shortly after his inauguration, Schwarzenegger walked over from the governor's office "horseshoe" for a shine, but Wright was out. (Wright was resting at home because of uncomfortable side effects of treatment for stomach cancer. He says his prognosis is good and he expects treatment to end soon.)

Wright has shined shoes for Muhammad Ali and Geraldo Rivera during their visits to the Capitol. Another visitor was actor-director Mario Van Peebles, who toured the Capitol while filming "Panther," a 1995 drama about the Black Panthers that included scenes of the group's dramatic Capitol protest.

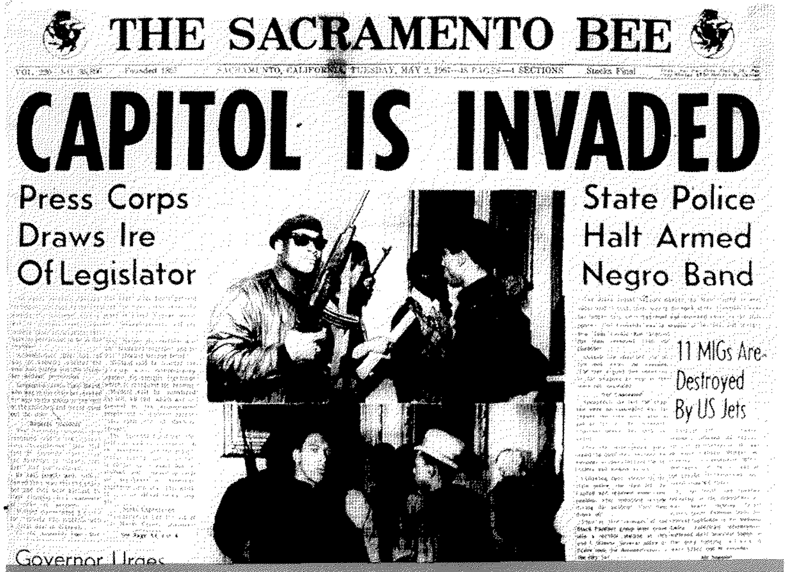
Wright saw Van Peebles in the Senate chambers and introduced himself. A woman nearby yelled, "Eddie Wright!" It was a girlfriend of one of the members of the Panthers who remembered Wright from Oakland. She had been hired by Van Peebles as a consultant. Wright says he was turned off by the movie's focus. When asked to elaborate, Wright says: "The stuff they focused on wasn't the stuff we were focused on when I was there." He says he never saw the movie.

The Black Panthers he knew were focused on protecting their neighborhood from what Wright says was the brutality of the Oakland police. He says he met Huey Newton when Wright was in the 12th grade. Wright was returning home from school when he saw a small crowd gathered around a man standing on a car near Wright's house. As Wright approached, he realized the man was standing on his mother's car.

"I said to him, 'Man, what are you doing?' He said, 'I'm just trying to organize this neighborhood.' I said, 'That's fine. But you gotta get off my momma's car.'" Newton became a friend of the family and dated Wright's sister.

A few years later, Wright was beaten by eight white police officers. Afterwards, "I had this rage," he says. "I had this hate." He turned to the Panthers because the group offered an alternative to his helplessness and anger. It offered organized protest and protection to its members and the community.

His buddy at the time, Freddie Nolan, whom Wright calls "a full-fledged member" of the Black Panthers, was among those who went to the Capitol on May 2, 1967 with



THE SACRAMENTO BEE

CAPITOL IS INVADED

Press Corps Draws Ire Of Legislator

State Police Halt Armed Negro Band

11 MIGs Are Destroyed By US Jets

Governor Urges

Front page of *The Sacramento Bee*, May 2, 1967.

Seale. The group was protesting a bill by then-Assemblyman Don Mulford (R-Oakland) that would have made it illegal to carry loaded weapons. At the time, it was legal to carry loaded guns as long as they weren't concealed or displayed in a threatening manner. Members of the Black Panthers used that law to conduct armed patrols of their own neighborhoods much to the chagrin of Oakland police. They saw the bill as an effort to block the Panthers from policing their own community, which, of course, it was.

Wright was curious, and he wanted to lend moral support to his friend. "But I didn't want to get that involved," he says. "I didn't want to get arrested." (Bobby Seale says he doesn't recall Wright at the protest.)

Wright says he drove Nolan in Wright's two-seater Austin Healey to Sacramento. After Nolan and the others disappeared through the Capitol's West doors, Wright mixed with tourists and strolled through Capitol Park. Meanwhile, inside the Capitol, Seale's armed group made their notorious entrance on the Assembly floor.

Seale had planned for his "delegation" to sit in silent, though dramatic, protest in the Assembly visitors gallery but ended up on the Assembly floor where legislators were debating Mulford's bill. Seale said he was accidentally led to the Assembly floor. "I walked in, and three or four legislators were ducking behind their seats. I say, 'Excuse me. I think I'm in the wrong room,'" recalls Seale, who spoke recently from his Oakland home.

The tense scene ended when the confused Black Panthers were led peacefully off the floor. They were surrounded by reporters and the press coverage was widespread. Later, when the group's caravan stopped at a service station a few blocks away, they were arrested and spent the night in a Sacramento jail. Wright and Nolan drove home separately and didn't realize their friends had

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Above: Black Panther Party founder Huey Newton, right, with party member Bobby Seale, San Francisco. Photo: Ted Streshinsky, Corbis, 7/67. Left: Eddie Wright working at his Capitol shoeshine stand. Photo: Steve Yeater, 2/04.

been arrested until later.

The Sacramento Bee carried the story the next day under the headline: "Capitol is Invaded: State Police Halt Armed Negro Band." The Assembly passed Mulford's bill.

Over the years, the impact of the Black Panthers waned, and Wright stopped attending meetings. In the meantime, he had graduated from college and began a music career that took him on the road with the Graham Central Station Band and, later, with Natalie Cole, for whom he played bass.

Since then, music has become a crucial part of his life. Indeed, it defines him today. "I'm a musician," he says.

Ten years ago, Wright was visiting a relative in Sacramento and looking for work. He met Tony Benjamen, who had run the shoeshine concession at the Capitol for 18 years. Benjamen was losing his sight and asked Wright if he wanted a job.

"Shining shoes was the last thing I wanted to do," Wright says. But Benjamen told him he had raised a family on a good living he made shining shoes. And then Benjamen told him where he worked. "The Capitol? Where the governor is?" Wright was intrigued.

When Wright showed up for work it was his first visit to the Capitol since he had arrived with the Black Panthers in 1967.

Wright says he loves the job he has held for a decade. He works most mornings. In the afternoons he writes music. He has made a CD with his band, "Bad Blood." His bass playing, he says, is a mix of James Brown and Jimi Hendrix.

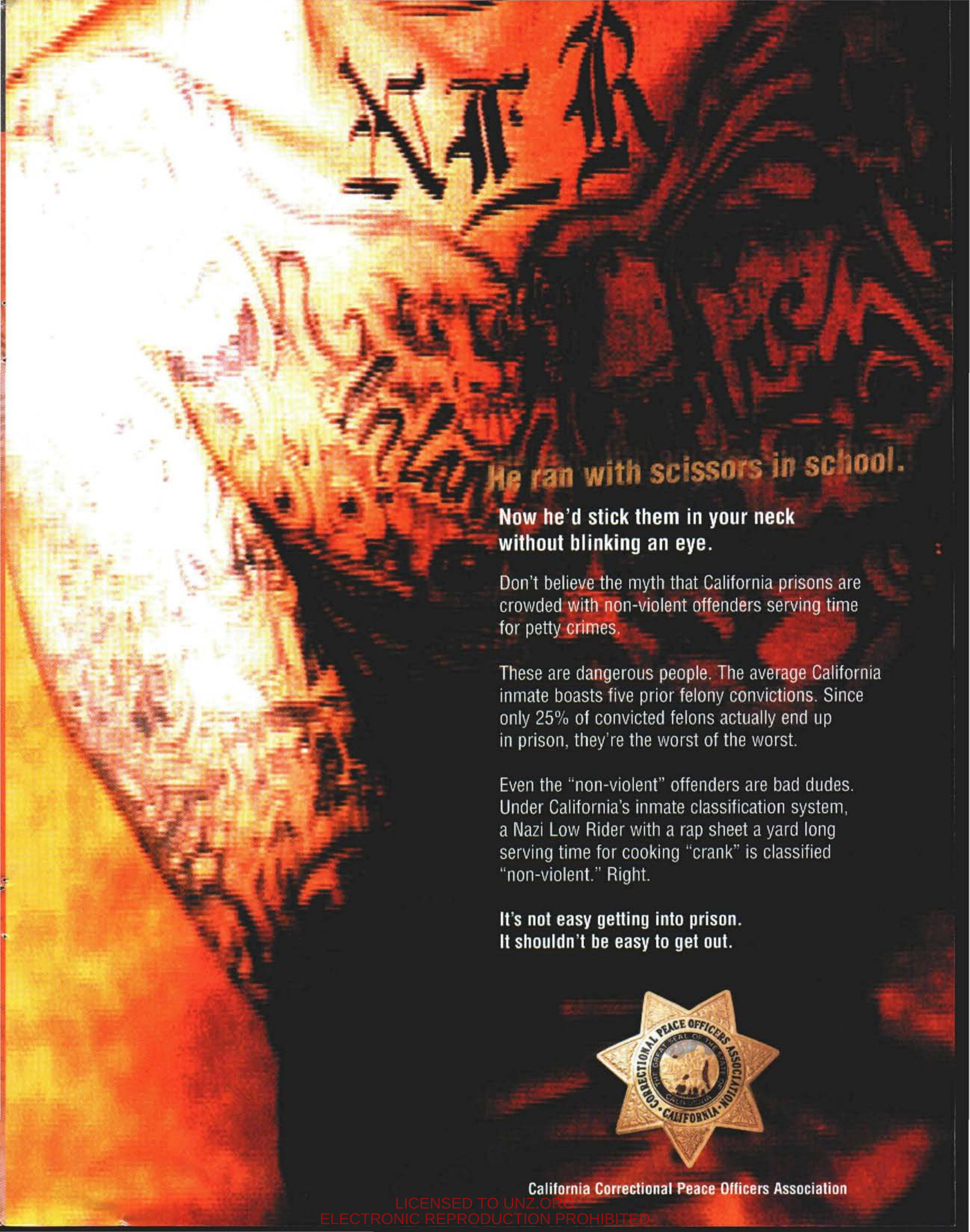
"I'm happier than I've ever been in my life," he says.

Wright lives in Land Park with roommate Matt McKeag, his best friend who runs the shoeshine concession at the Hyatt hotel across the street from the Capitol. Wright has a daughter and a granddaughter who live in Oregon.

Wright takes in stride the distance his life has traveled. These days, his focus is on his job, his friends at the Capitol and his music making.

"I don't think about all that stuff that happened in the past so much," he says. "I think about what I'm doing today." 🏛

Laura-Lynne Powell writes for the online newsletter, The Capitol Morning Report, *where this story first appeared. Send comments to* **comments@californiajournal.com**



He ran with scissors in school.

Now he'd stick them in your neck without blinking an eye.

Don't believe the myth that California prisons are crowded with non-violent offenders serving time for petty crimes.

These are dangerous people. The average California inmate boasts five prior felony convictions. Since only 25% of convicted felons actually end up in prison, they're the worst of the worst.

Even the "non-violent" offenders are bad dudes. Under California's inmate classification system, a Nazi Low Rider with a rap sheet a yard long serving time for cooking "crank" is classified "non-violent." Right.

It's not easy getting into prison.
It shouldn't be easy to get out.

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